

The Humane Society news

Fall 1988
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OF THE UNITED STATES



Responding To Your Response

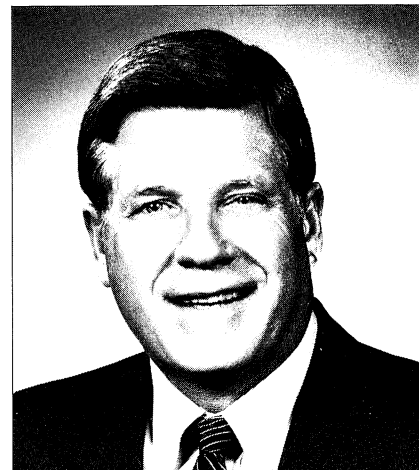
During the more than eighteen years I have served as president of The Humane Society of the United States, I have never received as many letters on a given subject as those resulting from my "perspectives" on the *Reader's Digest* article by Dr. Robert White. Your response to this concern has been overwhelming, especially as regards those of you who wrote personally to Kenneth Gilmore, editor of *Reader's Digest*, protesting his unwillingness to accept for publication an opposing point of view to that expressed by Dr. White. It has not gone unnoticed that many of you also cancelled your subscription to this publication as a further indication of your displeasure with *Reader's Digest's* stance on this matter.

Almost without exception, I have read each of the literally hundreds of letters that have been received during the past few months. Unable to respond to each one, I want to take this opportunity to thank you for joining with me in vigorously protesting *Reader's Digest's* arrogant refusal to present a fair and balanced view of the matters raised in the article by Dr. White. In spite of those protests, *Reader's Digest* continues to refuse to publish any kind of rebuttal to Dr. White's distorted, biased, and tendentious views.

Many of you have suggested ways in which you would like to see The HSUS respond further. Some urged that The HSUS sue *Reader's Digest* for its refusal to print an opposing view. This possibility was presented to our legal department for consideration but was judged not to be a realistic or fruitful option, especially after *Reader's Digest* agreed to stop its inappropriate and distorted use of our name in reference to research conducted by Dr. White.

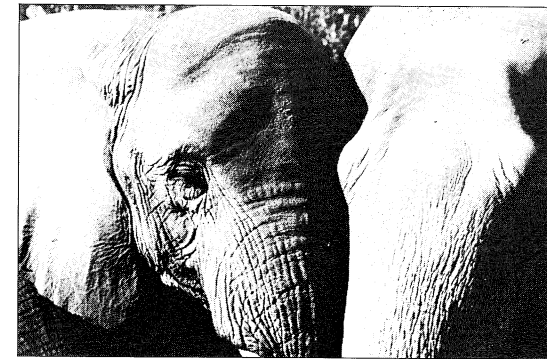
Others suggested that we print a rebuttal in our own magazine which might then be used by you and others in further countering the views of Dr. White which have, by reason of its refusal to print an opposing view, become those of *Reader's Digest* as well. That request is hereby honored, and you are welcome and encouraged to utilize the statement on page 21 of this magazine in whatever ways may be useful in countering the statements and view of Dr. White. Perhaps it can be reprinted in your local humane society newsletter or magazine or, even better, in your local newspaper. Excerpts may be used for letters to the editor or in working to enact ordinances or laws prohibiting pound seizure in your local community or state. You may utilize this statement without permission, but it would be appreciated if you identified the "rebuttal" as a statement of The HSUS.

I wish to thank Dr. Martin Stephens, director of the department of Laboratory Animal Welfare of The HSUS, for his assistance in preparing this response. And I am especially appreciative for the ways in which so many of you have responded in helping to communicate the real facts regarding the use of animals in biomedical research and testing procedures, especially those animals who, having been abandoned, discarded, or lost, should not now have to experience the stress, trauma, and potential suffering that await them in the research laboratory. ■



John A. Hoyt

president's
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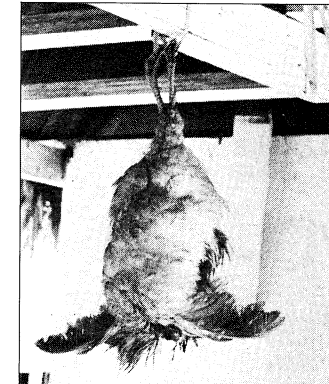
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Postponed The article on HSUS farm animal husbandry standards announced in the Summer issue will appear in the Winter 1989 issue.

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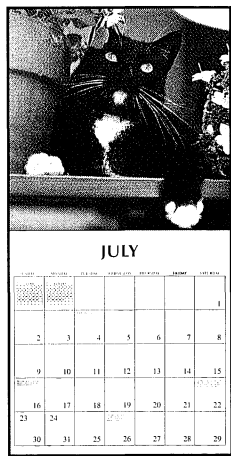
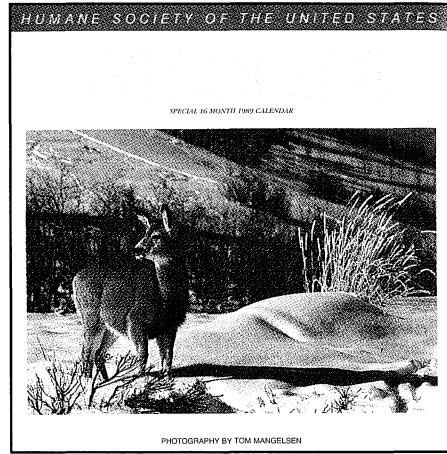
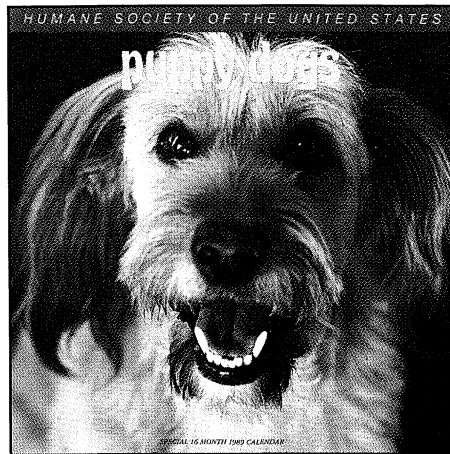
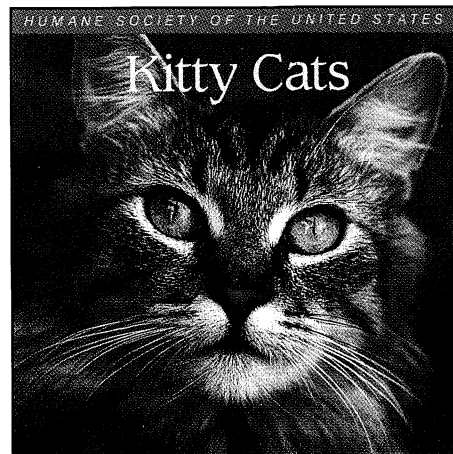
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FALL
1988

Cover photo by Richard Stacks, San Francisco

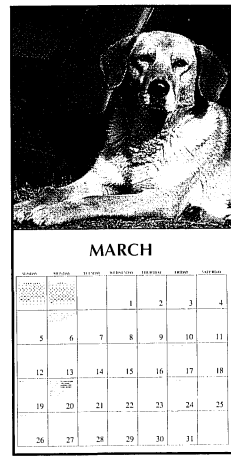
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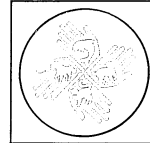
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DIVISION REPORTS



Rita Roe Bartlett, who teaches on the Bitburg Air Base in West Germany, has been named NAAHE's Humane Education Teacher of the Year.

Teacher of the Year Announced

The National Association for the Advancement of Humane Education (NAAHE) is proud to announce that Rita Roe Bartlett is its 1988 Humane Education Teacher of the Year. This award is presented annually to an elementary or secondary school teacher who displays excellence in making humane education a regular part of his or her curriculum. Ms. Bartlett, a teacher for twenty-eight years, currently teaches fourth grade at Bitburg American Elementary School on Bitburg Air Base in West Germany. She was recognized for being a truly outstanding national leader in humane education.

According to NAAHE Director Patty Finch, Ms. Bartlett has made humane education a reality not only in her own classroom, but also in all classrooms in her school. "Now," explains Ms. Finch, "she is beginning to set up teacher workshops for teachers in other Department of Defense District Schools (DODDS) in Germany. DODDS is one of the largest school systems in the world. Rita's influence is beginning to reach around the globe." Ms. Finch finds equally impressive Ms. Bartlett's ability to affect individual students in a positive way. "She exemplifies the kind of teacher Albert Schweitzer envisioned when he said, 'I always wanted that teachers...do not only pass on education...but that they pass on humanity, that they make children at an early age

feel that they can undertake the responsibility for others, to their own friends, to their animals, to animals that they find helpless in the street.' "

Among Ms. Bartlett's numerous accomplishments in humane education has been her work with the Bitburg Kindness Club, which she organized in 1984. She also involved the entire Bitburg Elementary School and the surrounding

Center Garners Endorsements

The Center for Respect of Life and Environment is pleased to announce that it has been endorsed by several prominent public figures, including actress Lindsay Wagner; human-rights activist Cesar Chavez; Father Thomas Berry, one of the nation's most progressive theologians; Dr. Noel Brown, director of the United Nations Environment Programme; and Nobel laureate Professor Konrad Lorenz.

The Center's director, Dr. Michael W. Fox, represented the Center at the Cancer Control Society conference in Los Angeles and gave a keynote address on the interrelationships among human health, holistic/environmental medicine, and organic, sustainable alternative agriculture.

The Center is currently investigating the contribution of non-sustainable agricultural practices to the greenhouse effect and related local and global climatic

military community of fifteen thousand in the "Pennies for Pandas" project initiated by First Lady Nancy Reagan. Ms. Bartlett helped raise \$800 through her efforts. Four years ago, she paid for *Kind News* and *Children & Animals* (NAAHE's periodicals for students and teachers) subscriptions for grades one through five, then requested and received funding from the PTA for the subscriptions for the subsequent three years. Ms. Bartlett also requested approval from the PTA at a nearby school to underwrite the cost of subscriptions for that school as well. (For information on how HSUS members can help provide teachers with subscriptions to *Kind News* and *Children & Animals*, see the back cover of this issue.)

NAAHE selected Virginia Wolfe, a fourth grade teacher from Macungie, Penn., as the 1988 Humane Education Teacher of the Year Runner-Up. A twenty-year veteran of the teaching profession, Ms. Wolfe involves her students in letter-writing campaigns on animal-protection issues such as trapping and live pigeon shoots and incorporates activities on cetaceans, pets, and endangered species into her curriculum. ■

disturbances. In Europe, animal waste from factory farms produces ammonia and various trace gases that contribute to the intensifying problem of acid rain. Evidence is accumulating that, without a drastic reduction in livestock production and consumption worldwide, the natural environment will be unable to sustain an ever-expanding human population that continues to regard meat as a dietary staple. Evidence also indicates that the decline in natural biodiversity, in part due to deforestation and agricultural expansion (primarily to feed livestock), is the greatest single threat to wildlife and wild lands alike.

Correction

The correct prices for the two Center videos announced in the Summer *HSUS News* are \$20.00 for *Silent World: Genetic Engineering Biotechnology* and \$18.00 for *Animals, Nature and Religion*, both on 1/2-inch VHS video, postage paid. ■

Dunda's Days of Pain

Elephant's treatment in San Diego stirs controversy

This spring, an incident of alleged animal abuse at one of the most visible and highly respected zoological parks in the country raised troubling questions about how wild animals should be treated in captivity.

In March, The HSUS learned of a beating given an elephant known as Dunda at the venerable San Diego Wild Animal Park in February. The publicity surrounding the incident ignited a major local controversy, pitting protectionists and zoo goers against zoo officials.

In mid-February, Dunda had been moved from the San Diego Zoo to its sister facility, the San Diego Wild Animal Park, for the purpose of joining the park's breeding program. Tranquilized and chained by all four legs after the move, Dunda reportedly

treatment as "strong, aggressive discipline." They have stated that the elephant was dangerous and unmanageable, although the elephant's keepers at the San Diego Zoo have refuted that contention.

No one has denied that the result of Dunda's ordeal was severe head injuries, clearly visible in photographs taken by a zoo employee and brought to our attention.

Throughout its history, The HSUS has conducted many inspections and investigations of the conditions under which wild animals are kept in captivity. For years, the San Diego Wild Animal Park has been considered a leader in the zoo industry; that this incident took place in San Diego is most disturbing to us and leads us to hope that, at the very least, it will force zoos to reevaluate the ways in which elephants are

maintained in captivity. On May 31, 1988, I investigated the circumstances surrounding the Dunda beating in San Diego. I spoke to at least twelve people who presently work for the San Diego Zoological Society or had worked there in the past. They included Doug Myers (executive director), Alan Roocroft (elephant supervisor), Gerald Thomas, Lou Bisconti, Lisa Landres, and Steve Friedlund. Ms. Landres stated, "After

working with Dunda for six years, I was unable to recognize Dunda [because of her extensive injuries] when I visited her after the beatings." Mr. Friedlund stated, "I vehemently disagree that this so-called discipline is commonplace and normal; there is no excuse for this brutal attack upon Dunda." He continued, "In my nearly eighteen years of working with elephants, I have never seen an elephant even closely resembling the condition Dunda was in after the beatings." Another zoo employee told us that he actually heard those involved

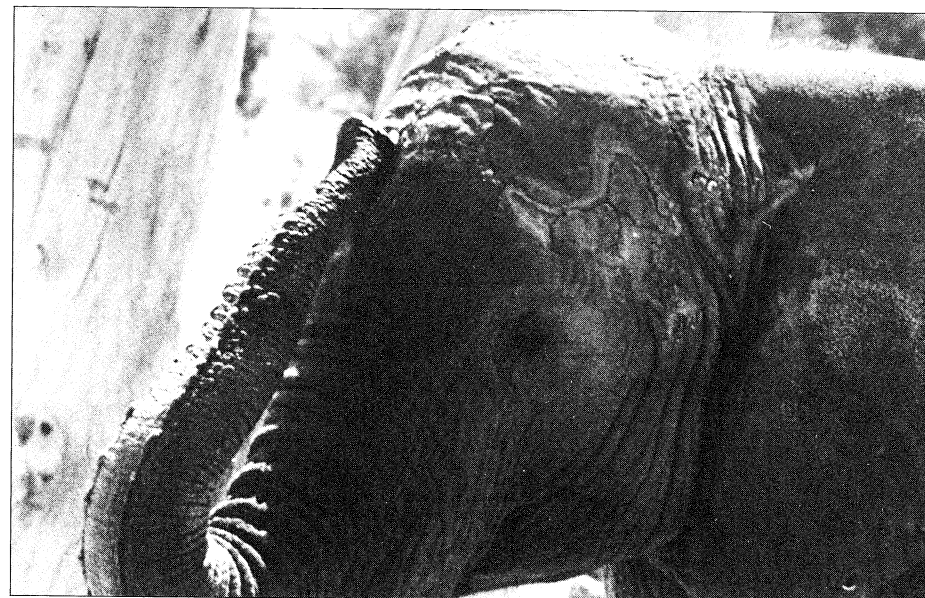
with Dunda's beatings state, "Dunda is coming out of that barn [where she was being restrained] in either one of two ways...she'll walk out with us or she'll go out in pieces." Regardless of the rationale given for this "discipline," or the problems associated with Dunda's transfer from the zoo to the park, I became convinced that Dunda had been abused.

Any beating that results in demonstrable serious injuries to an animal is unacceptable and constitutes cruelty and abuse. Such a finding is supported by both state and federal law. According to California state law, "...Every person who...cruelly beats, mutilates, or kills any animals, or causes these acts to be done,...or inflicts cruelty upon it, or in any manner abuses any animal...is, for every such offense, guilty of a misdemeanor." The Animal Welfare Act (AWA) states that "handling of animals shall be done as expeditiously and carefully in a way so as not to cause unnecessary discomfort, behavioral stress, or physical harm to the animal...." I have no doubt that the San Diego Wild Animal Park is in direct violation of the AWA and relevant state law. Due to the beatings, Dunda did indeed suffer physical harm, unnecessary discomfort, and, quite possibly, behavioral stress.

The HSUS has written to the U.S. Department of Agriculture (USDA) requesting that it investigate this case. We informed the USDA that, in our opinion, the San Diego Zoological Society had violated section 3.135 of the AWA. The USDA has agreed with our investigative findings and will be submitting its report to its legal department pending legal action.

The attorney of the City of San Diego, John W. Witt, stated, "There is no question that Dunda was struck repeatedly by Wild Animal Park elephant keepers. There is also no question that the hitting with ax handles and the stick end of elephant hooks caused trauma to Dunda's head."

San Diego Zoo officials have claimed that such "discipline" of elephants is common at all zoos. If that is true, certainly, then, the zoo's statement has ramifications that spread far beyond the trauma endured by Dunda. If the statement is true, then the abuse that occurs at more than one thou-



Dunda's face and head (above and below) bore evidence of the animal's beatings at the San Diego Wild Animal Park months after the incident took place. HSUS investigation revealed to our satisfaction that abuse had occurred.



sand roadside menageries, in circuses, and in performing animal acts and shows is, in all likelihood, far worse. If an elephant cannot be guaranteed proper care at one of the largest and best funded zoological parks in the United States, then the horrors that are occurring in circuses, roadside menageries, and zoos and traveling animal shows must be unspeakable.

If the San Diego Zoological Society continues to defend its actions by claiming it is acceptable management to beat a chained and immobilized elephant, then the message being sent to every roadside menagerie, zoo, and abusive, exploitive animal

show is that it is perfectly acceptable behavior to hit animals, because one of the largest zoological parks does it. In such a case, we have no choice but to support a reevaluation of the advisability of maintaining elephants anywhere in captivity.

On July 29, 1988, California State Senator Dan McQuordale, chairman of the Committee on Natural Resources and Wildlife, held a public hearing regarding this incident and the overall care and handling of animals and other management issues at the San Diego Zoological Society. At the hearing, the San Diego Zoological Society attempted to defend its actions.

Instead of defending Dunda's abusers, the San Diego Zoological Society would have done justice to Dunda and all involved if it had admitted abuse occurred and announced disciplinary action against those responsible. It could have then established procedures necessary to guarantee that such abuse never occurs again.

The HSUS presented testimony at this hearing, representing ten animal-welfare and environmental organizations. Sen. McQuordale intends to put together a study group consisting of officials from government agencies, zoo professionals, and animal organizations that will define abuse and create guidelines for all animals in captivity. The senator hopes to introduce legislation by January 1989.

The elephant is one of the most popular and beloved of species kept in captivity. When Dunda's keepers struck the animal as it lay chained and helpless, out of sight of park visitors, they not only jeopardized its health—they also blackened the good name of their facility and destroyed the goodwill generated by elephants in all captive surroundings.

The HSUS is committed to making sure that Dunda did not suffer in vain and, if elephants can't be controlled humanely in captivity, that they not be kept in captivity at all.—David Herbet, captive wildlife specialist for The HSUS

What You Can Do

You can help The HSUS in our fight to guarantee the humane care and treatment of animals in captivity—and help Dunda as well. Write to Sen. Dan McQuordale (Senate Natural Resources Committee, State Capitol, Room 2031, Sacramento, CA 95814) and thank him for his interest in this issue. Encourage him to create legislation that would ensure humane care and treatment of captive animals, educate people about their needs and their role in the ecosystem, and exhibit those animals in naturalistic enclosures.

Write, too, to Robert O. Wagner, executive director of the American Association of Zoological Parks and Aquariums (Oglebay Park, Wheeling, WV 26003-1698) and request that the AAZPA investigate the abuse of Dunda at the San Diego Wild Animal Park. ■



—PHOTOGRAPHS BY LISA LANDRES

Prior to transfer to the San Diego Wild Animal Park, Dunda (at left) showed the world a smooth, unscarred countenance.

became agitated upon awakening in new surroundings, swinging its head and trunk in the direction of the unfamiliar keepers surrounding it. According to informants, the keepers beat Dunda, while chained, over a two-day period, using ax handles, the blunt end of an elephant hook, shovel handles, and other equipment.

Officials of the San Diego Zoological Society, parent organization of both the park and the zoo, have never denied that the incident involving Dunda took place. In fact, they have chosen to defend Dunda's

The HSUS Launches "The Shame of Fur" Campaign

Celebrities, fashion models help in media efforts

On October 3, The HSUS launched the nation's largest anti-fur effort ever when we kicked off our 1988 "The Shame of Fur" campaign in major cities to tell consumers that buying and wearing fur coats is both unfashionable and cruel to animals.

The HSUS scheduled campaign media events in some of the busiest shopping districts in New York City, Los Angeles, and Chicago, cities recognized for fashionable museums, receptions, theaters, restaurants, and other places where people frequently wear fur coats and accessories. "The HSUS is taking this campaign directly to consumers who buy and wear fur coats. We believe that, once they know the facts about the cruel way fur animals are raised and killed for their fur, consumers

will choose not to wear fur," said HSUS President John A. Hoyt.

HSUS spokespersons, including Mr. Hoyt, were to be on hand to announce the opening of the campaign and to describe to members of the press and to other listeners how trapping wild animals, or raising and killing them on ranches, in order to use their pelts to make fur fashions is cruel, barbaric, and unnecessary. Each event was to feature a well-known celebrity and a high-fashion model who also would speak against the wearing of fur.

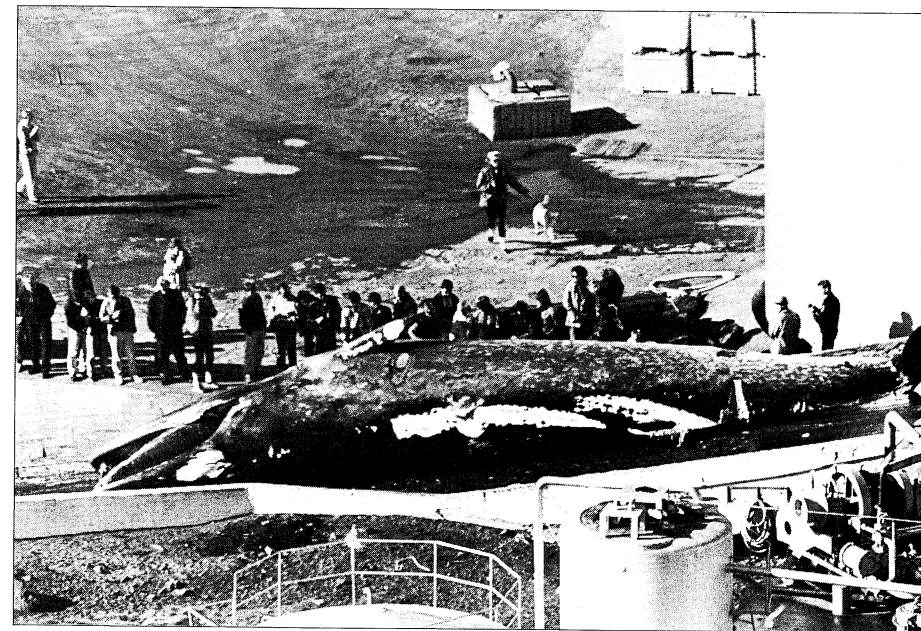
In all three cities, as well as Dallas and Washington, D.C., our full-color campaign ad, with its slogan "You Should Be Ashamed to Wear Fur," received plenty of attention. Such ads were found in selected areas of each campaign city. Large highway

billboards have been placed in three areas in the Dallas/Ft. Worth area, on the Sunset Strip in Los Angeles, and at the entrances to the Holland and Lincoln tunnels, outside of New York City. In New York, we placed telephone-booth ads at various intersections around Madison and Fifth avenues, close to the major department stores and other places where fur is sold or worn. Large interior transit-bus ads have been placed in selected sections of Washington, D.C., and surrounding Maryland and Virginia communities. King-sized posters are visible on the sides of transit buses in selected areas of Chicago.

Our campaign will be most active during October, November, and December, when people buy and wear furs for the holidays. It is part of an international effort to end the needless suffering of fur animals. (In October, the World Society for the Protection of Animals, of which HSUS President John Hoyt also is president, scheduled its own media events around the world.) The HSUS is taking its campaign across the nation to emphasize that people everywhere can help in this important effort to stop the shameful wearing of fur. "People around the world are becoming more sensitive to the tremendous suffering animals experience every day at the hands of other people," said Mr. Hoyt. "Fur trappers and ranchers should be aware that, as more and more consumers realize the shame of wearing fur, people will demand an end to the cruel fur industry."

We've developed a packet of materials to help citizens learn the facts about fur trapping and ranching and to suggest how they can work on a local level to influence consumers against the buying and wearing of fur. The packet contains informational brochures, quotes on the subject of trapping, a handout containing fur facts, a four-color wall poster, a fact sheet on the steel-jaw leghold trap, stickers for use on envelopes and other correspondence, a page of anti-fur ad slicks, and more. Also included is a handy order form for ordering more materials. To obtain a packet, mail a \$5 check or money order, payable to The HSUS, to "Fur Campaign," The Humane Society of the United States, 2100 L St., NW, Washington, DC 20037. ■

Through posters, bus advertisements, and billboards, The HSUS hopes to convince fashionable consumers to shun fur. Our campaign kicks off this fall.



A dead sei whale, part of Iceland's 1987 so-called research whaling program, is dragged to a whaling station. The HSUS opposes Iceland's whaling activities.

Research Whaling Continues

Animal protectionists plot strategy to outwit whaling nations

Lawsuit Targets Government Actions

On August 3, 1988, The HSUS, along with eighteen other animal-protection and environmental groups, filed a lawsuit against the U.S. Departments of Commerce and State for their failure to take action against Iceland for its activities in contravention of the International Whaling Commission's ban on commercial whaling. This legal action is one more step on the long road towards ending all whaling, begun by animal protectionists fifteen years ago (see the Fall 1987 HSUS News).

Several whaling nations, Iceland among them, continue to ignore the International Whaling Commission's two-year-old ban on commercial whaling by conducting so-called scientific whaling. Despite resolutions against their proposed scientific permits passed by the IWC in 1987 and again this year, Iceland, Japan, and Norway persist in their dogged attempts to keep whaling alive through the one loophole available to them.

Our lawsuit calls upon the U.S. government to enforce several domestic laws, including the Pelly Amendment to the Fisher-

man's Protective Act and the Endangered Species Act. Under the Pelly Amendment, the president can ban fish imports from those nations that are diminishing the effectiveness of the IWC. Fish exports to the United States are enormously more valuable to the offending nations than is their whaling, but, unfortunately, the U.S. government has been unwilling to flex its economic muscle to force compliance with the IWC whaling moratorium. Even worse, the United States continues to justify its inaction and acceptance of so-called scientific research based not on IWC decisions, but on separate bilateral agreements it has reached with the whaling country in question. Our lawsuit argues that this approach is illegal and that the United States must take immediate action against Iceland's scientific whaling.

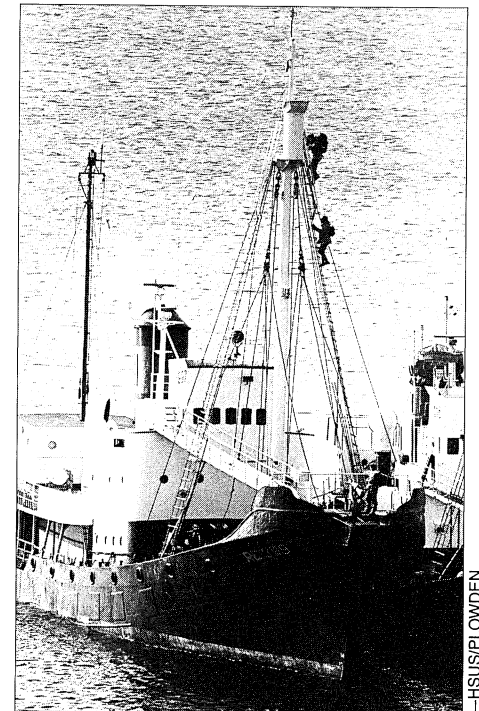
IWC Withstands Whalers' Assaults

This year's IWC meeting, held in Auckland, New Zealand, saw more of Japan's efforts to continue commercial whaling by simply renaming it. Japan asked for 210 minke whales to be killed under the name of "small-type coastal whaling." The Japanese distributed numerous studies and

glossy printed materials in support of the cultural importance of whaling to these coastal towns. It is clear, however, based on reports prepared in part last year by The HSUS, that Japanese coastal whaling is commercial. Fortunately, there was so little support for the Japanese rationale that it never came up for a vote. However, a special committee was formed to study the matter further and make a report next year.

The Alaskan Inuit natives continue to conduct an aboriginal subsistence hunt for bowhead whales annually. They have funded extensive research to determine the bowhead population, now estimated at between 7,200 and 7,800 animals. They have also worked with specialists to develop a more humane explosive harpoon using special penthrate powder. Although they requested more, they were given a three-year quota allowing no more than 41 bowheads to be landed in any one year. In aboriginal hunts, whale meat is considered a basic part of native subsistence diets and must be shared among those in the immediate community. This meat is not sold.

The most contentious battles at the IWC continue to be over scientific whaling and the role of the United States in accepting "outside deals" with the whaling nations. The U.S. commissioner, William Evans, spoke in favor of the IWC resolutions call-



Protesters climb the rigging of a whaling vessel they commandeered during 1987 actions against Iceland's whaling activities.



Patricia Forkan, HSUS senior vice president, confers with Dr. Roger Payne (left), senior scientist for the World Wildlife Fund, and Daniel Esty, of the law firm of Arnold and Porter.

ing on Iceland and Norway not to issue permits to conduct their proposed research. Both resolutions passed, yet, a scant two

weeks after the meeting, the U.S. government signed an agreement with Iceland allowing it to proceed as planned with its

whale slaughter without fear of U.S. reprisals. U.S. representatives claim they got a good deal because Iceland agreed to reduce its sei whale kill and take fewer fin whales, but this agreement came as a result of the whalers' late start, not because they admitted they should reduce their kill. There has been no agreement by Iceland to change any of its future scientific whaling plans.

Norway also entered into separate talks with the United States and began killing minke whales in early August. Obviously, it has also received assurances from the United States that no reprisals will take place. The HSUS will be reviewing this situation for possible legal action.

Japan has not submitted a research proposal, as yet, this year. It killed 273 minke whales for scientific purposes in 1987, and the United States did revoke certain Japanese fishing rights within two hundred miles of our coasts. However, the more effective action, a fish embargo, has been put off for consideration until December.

We expect that Japan will soon submit a research proposal for killing at least 300

minke whales. This will force a special meeting of the IWC scientific committee and a special postal vote by IWC nations. Based on past experience, Japan is not likely to receive a favorable vote. However, that will once again put the United States on the hotseat to enforce its domestic laws meant to protect whales.

Boycott Could Freeze Out Fish

Since the IWC has no real enforcement power and the U.S. government has been unable to withstand international political pressures (rendering our law ineffective), a citizens' boycott of fish products has been our only recourse to whaling by renegade nations. We have sponsored a boycott against Iceland's fish products since it initiated its so-called scientific whaling last year. This effort was joined by Greenpeace in 1988 and has resulted in several severe losses to Iceland's fishing companies.

A series of demonstrations in southern cities and a petition campaign convinced Shoney's (owners of the Capt. D's res-

taurant chain) to announce it would stop using Icelandic fish. Two waves of demonstrations held in twenty-seven cities prompted the Burger King Corporation to cut back on its purchase of fish from the Iceland Seafood Corporation by 20 percent. An Icelandic newspaper reported that publicity about these activities led a third unnamed restaurant chain to back out of a contract to buy three thousand tons of Icelandic fish. Just days before demonstrations were held in seventy-four cities on August 16, the third National Day to Protest Icelandic Whaling, the Wendy's Corporation announced it would phase out some of its Icelandic fish due to concern about the whaling issue. More than 250,000 people have signed petitions addressed to the executives of these companies asking them to halt all purchase of Icelandic fish.

On a second front, school systems from the Boston, Massachusetts, area and other parts of the country are now showing their support for the whales by joining the boycott. Nine school districts in Massachusetts, including Cambridge and

Plymouth, have signed the Pledge for the Whales by agreeing to buy fish only from non-Icelandic sources until Iceland stops whaling. School districts in Roanoke, Virginia, and Birmingham, Alabama, among others, have also made this pledge.

Although HSUS Senior Vice President Patricia Forkan and Greenpeace staff met with the president of Jerrico (parent company of Long John Silver's) in February to discuss whale-protection groups' concerns about Icelandic whaling, Jerrico has yet to show any concrete signs of cooperating in this effort. As a consequence, there will be a large demonstration on Wednesday, October 26, when the Jerrico shareholders meet in Lexington, Kentucky, at the corporate headquarters.

If you would like to organize a demonstration in support of the boycott at a Burger King, Long John Silver's, or Wendy's location near you, please write for a free Icelandic Whaling Demonstration Kit. If you can help convince your school to make the Pledge for the Whales, please write to The HSUS for the free Icelandic Whaling School Action Kit. ■

Reflect for a moment...

how can I help animals even when I no longer share their world...?

By your bequest for animal protection to The Humane Society of the United States.

Your will can provide for animals after you're gone.

Naming The HSUS demonstrates your lasting commitment to animal welfare and strengthens the Society for this task.

We will be happy to send information about our animal programs and material which will assist in planning a will.

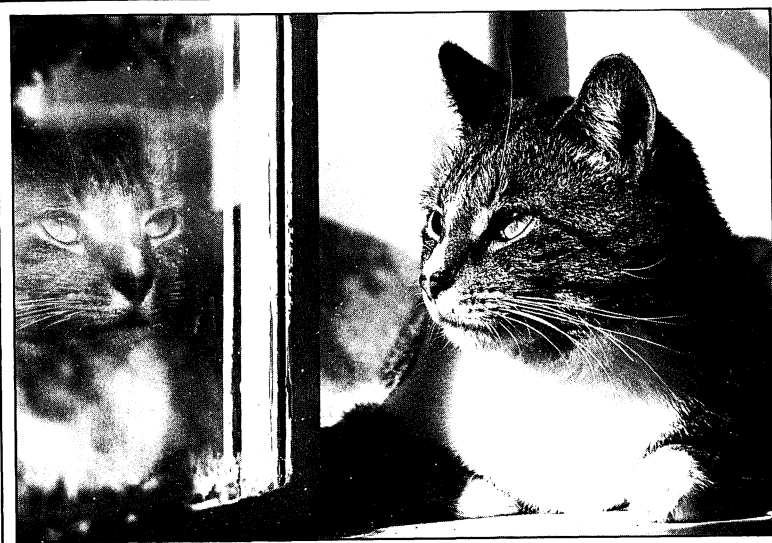
Please send: Will information

Name _____

Address _____

City _____ State _____ Zip _____

Mail in confidence to: Murdaugh S. Madden, Vice President/General Counsel, The Humane Society of the United States, 2100 L Street, NW, Washington, DC 20037.



You Can Help the Animal Shelter in Your Town . . . Even if you never go there.

You can help your local animal shelter care for unwanted animals even if you don't work or volunteer there.

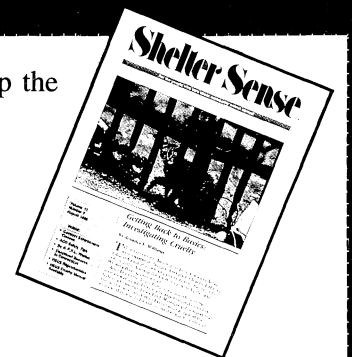
How?

Buy a subscription to *Shelter Sense* for the shelter staff.

Shelter Sense gives shelter workers the information they need to provide the best care for the animals.

Use this handy coupon.

YES, I'd like to help the animal shelter in my community. Please send a one-year *Shelter Sense* subscription to:



SHELTER NAME _____

SHELTER ADDRESS _____

CITY, STATE, ZIP _____

(If you don't know the address, just give us the shelter name, city, and state—we'll do the rest.)

MY NAME _____

MY ADDRESS _____

CITY, STATE, ZIP _____

I've enclosed my check or money order for \$8.00. Make checks payable to The HSUS. Please return this coupon to Companion Animals Dept., The HSUS, 2100 L St., NW, Washington, DC 20037, along with your payment.

Throwing a Lifeline to Dolphins

Can a new lawsuit stop the slaughter?

ew animal-protection issues have generated as much passionate concern this year as the dilemma of dolphins drowned by the thousands in the nets of the American and foreign tuna-fishing fleets.

An estimated 125,000 dolphins continue to be slaughtered each year in the Eastern Tropical Pacific Ocean by the international tuna fishery in spite of a sixteen-year-old U.S. law that, if properly enforced, would prevent such indiscriminate killing.

For the past year, The HSUS has been working with other animal-protection and conservation groups to force major changes in the way the U.S. government and U.S. tuna companies view the dolphin problem.

An "all-brands, all-kinds" tuna boycott and letter-writing campaign organized by The HSUS has had a major impact on Congress and American tuna companies.

Adding more fuel to the fire, The HSUS, in conjunction with the Environmental Defense Fund (EDF), has sued the U.S. government to enforce a law already on the books to protect dolphins. The suit was

filed on July 19, in U.S. district court in Washington, D.C., against U.S. Secretary of Commerce William C. Verity and William E. Evans, administrator of the National Oceanic and Atmospheric Administration (NOAA). The suit asks that the defendants be required to enforce *immediately* the Marine Mammal Protection Act of 1972 (MMPA), which, among other provisions, requires the U.S. government to embargo tuna imports from any country that cannot prove, with documentary evidence, that it has killed dolphins at a rate no higher than the U.S. tuna fleet is permitted under the MMPA.

As amended in 1981, the MMPA permits the U.S. tuna fleet to kill 20,500 dolphins per year during tuna-fishing operations. However, foreign tuna fleets from about a dozen countries, such as Mexico and Panama, currently kill dolphins at a rate at least four times higher than the U.S. fleet.

Relenting to intense pressure by animal-protection groups following a videotaped exposé of mass dolphin killings by the foreign fleet, NOAA, this spring, finally

developed the regulations needed to carry out the tuna-import embargoes required by U.S. law. However, the regulations, as written, would postpone embargoes of tuna from offending countries until at least 1991. The HSUS and EDF suit, if won, would force the government to obey the law by imposing embargoes *immediately*.

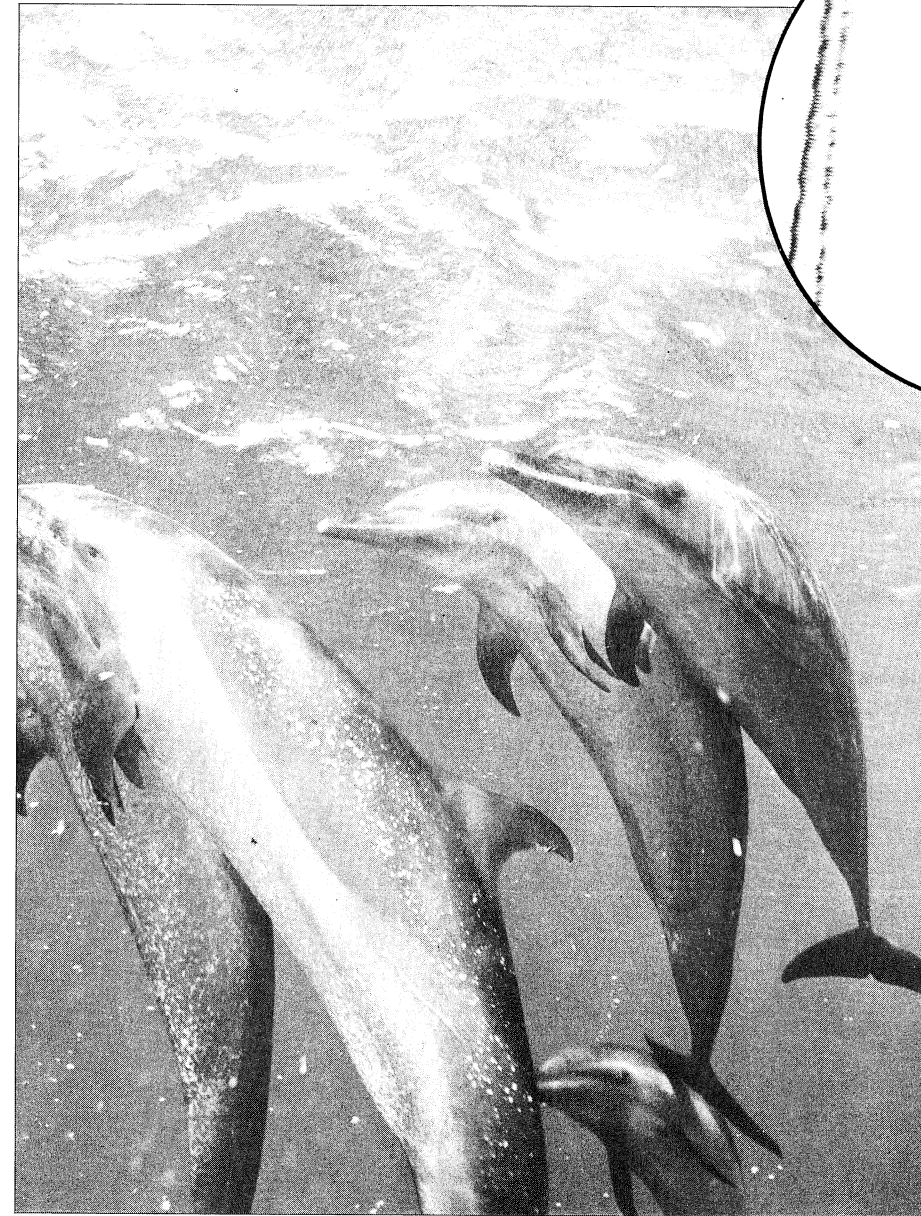
In the meantime, Congress continues to debate whether it should amend the MMPA, which is up for re-authorization this year. The HSUS continues to lobby Congress, not only for an immediate embargo of foreign tuna imports from offending nations, but also for major changes in the MMPA that would strengthen protections for dolphins. Changes advocated by The HSUS include:

- Dramatically reducing the U.S. dolphin-kill quota to conform to the original intent of the MMPA—which was to limit dolphin kills during fishing operations to "insignificant levels approaching zero mortality and serious injury rate";
- The immediate development of alternative methods of fishing for tuna, as required by a 1981 amendment to the MMPA; and,
- The placement of government observers aboard 100 percent of all U.S. and foreign tuna purse seine vessels, and the commencement of an investigation into the safety of those observers and the integrity of their findings.

While the foreign fleet would appear to be the worst offender, recent court testimony, submitted by several former U.S. government observers who served on board U.S. tuna boats, casts grave doubt over the performance of the U.S. fleet regarding dolphin kills. While U.S. tuna vessels are limited by law to killing no more than 20,500 dolphins per year—already an unacceptably high number—it now appears that many more deaths are actually occurring at the hands of U.S. fishermen than are being reported. Some government observers now claim that they were forced to under-report dolphin mortality by tuna boat captains and crews who threatened them.

On June 9, Earth Island Institute and the Marine Mammal Fund released sworn affidavits charging the U.S. tuna industry

Dolphins are unnecessary victims of methods of tuna fishing. (Inset) A dolphin dangles in a net before being crushed by net-hauling equipment.



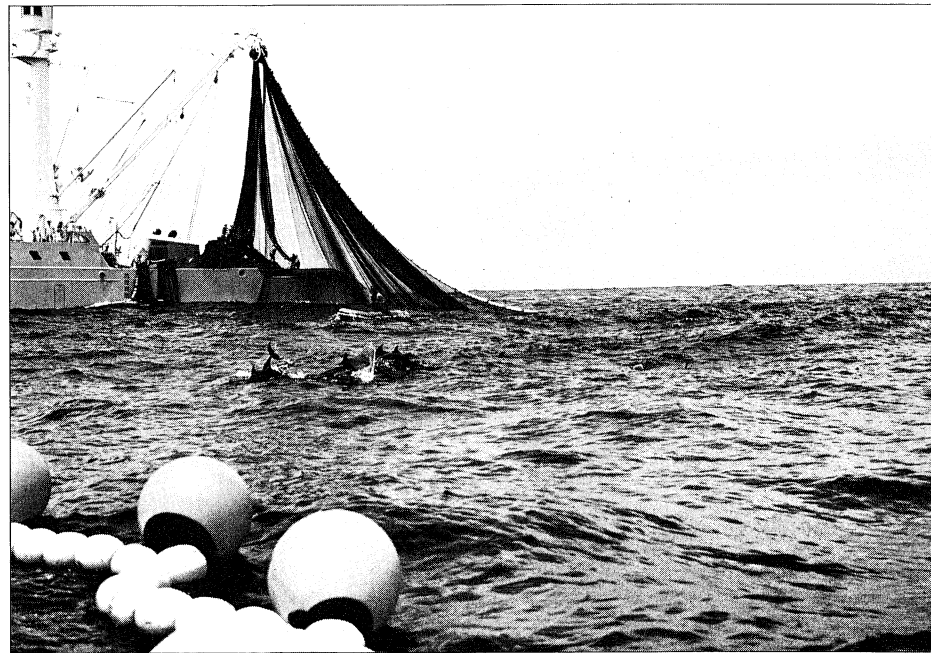
to sleep in the net pile. I knew that if I 'fell off' I would never be found, and had to consider this as a threat on my life."

Congress has been considering the various aspects of the dolphin dilemma under steady pressure from The HSUS and other organizations. We await a satisfactory resolution before Congress adjourns for the year the first week of October. If the problem is not resolved, or is postponed until the One-hundred-and-first Congress, The HSUS will only redouble its efforts on behalf of dolphins.

Meanwhile, The HSUS continues to urge participation in the tuna boycott in order to send a strong message to American tuna companies that continue to purchase large quantities of foreign tuna caught "on dolphin."

Since The HSUS boycott was resumed earlier this year, there have been major changes in the status of two of the U.S. corporate players in the tuna/dolphin situation. H.J. Heinz, owner of Star Kist Foods, Inc. (Star Kist Tuna), dropped its plans to acquire Bumble Bee Seafoods, Inc. (Bumble Bee Tuna) after the U.S. Justice Department opposed the takeover on antitrust grounds. Bumble Bee was then purchased by the Pillsbury Company. Ralston Purina, owner of Van Camp Seafood, Inc. (Chicken of the Sea Tuna), has agreed to sell its tuna company to PT Mantrust, an international holding company based in Indonesia.

The HSUS is now studying how best to approach the two new companies. Meanwhile, the boycott remains in full force. —Carol Grunewald, HSUS whale/dolphin coordinator

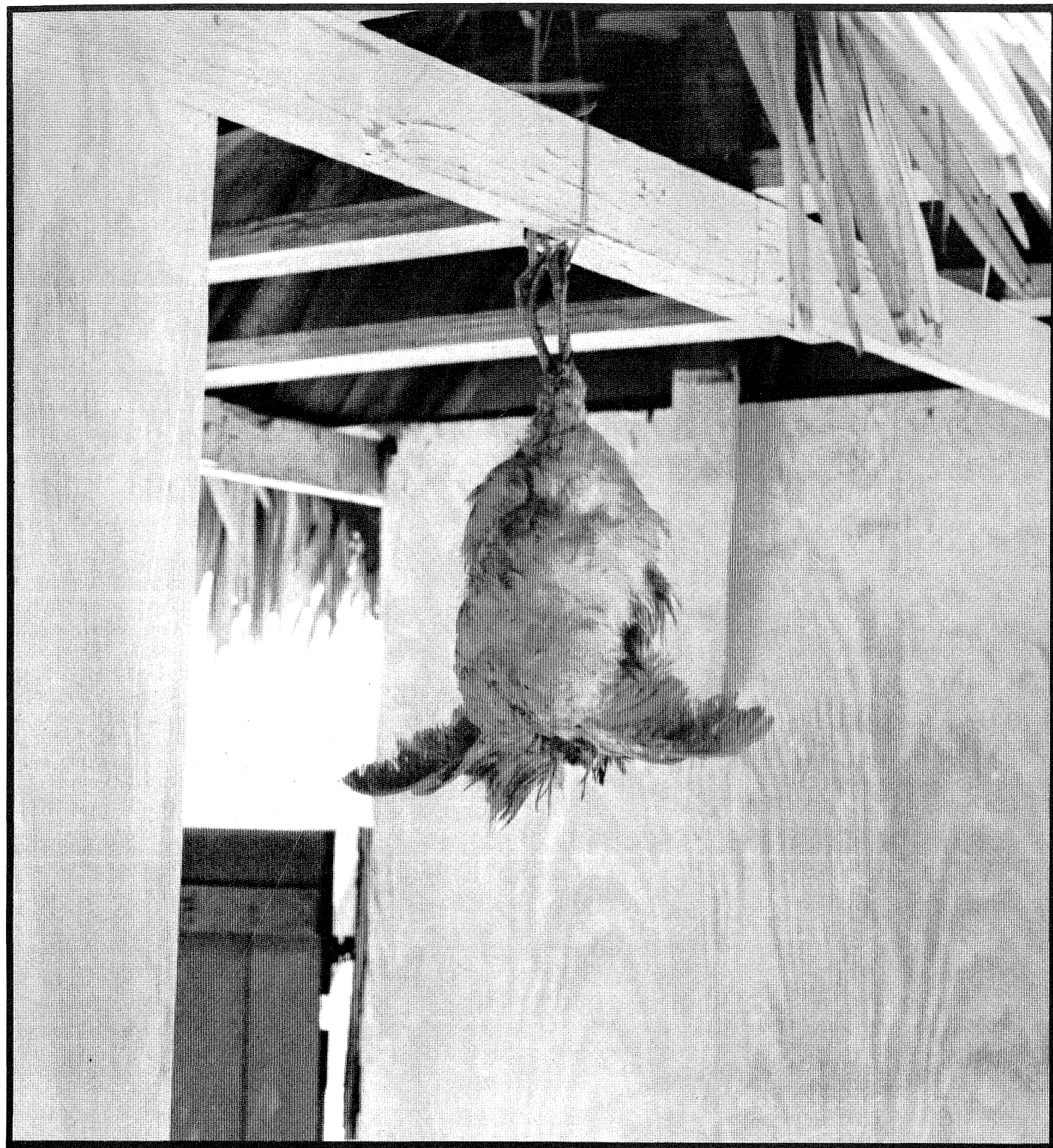


Posing as a crewman aboard a Panamanian tuna vessel from October of 1987 until January of 1988, former U.S. government biologist Sam LaBudde documented on videotape the needless killing of dolphins by foreign fishing fleets. Here, the vessel's crew attempts to allow dolphins to escape from tuna nets.

—SAM LABUDDE

—JOE THOMPSON, SEAVISION

—VIDEO STILL BY SAM LABUDDE



SANTERIA

ALIVE AND WELL IN THE U.S.A.

July 1984: Police charge fifteen people with cruelty after stumbling upon a Santeria ceremony in an Atlantic City, New Jersey, apartment. Fifteen animals, including lambs, sheep, and roosters, are found mutilated and dead at the scene.

July 1985: Plastic bags stuffed with dozens of decapitated lambs, sheep, chickens, and piglets repeatedly wash ashore in Atlantic Highlands, New Jersey.

September 1987: Authorities find six goats bound and shackled in a Culver City, California, bathroom. Several chickens are also on the premises. The presence of religious icons and candles suggests the practice of Santeria.

November 1987: Humane officials seize a calf, pig, and goat prepared for slaughter at the Washington, D.C., residence of a Santeria priest. All animals have their legs tethered and are boxed in an unlit basement. The pig is shoved into a crate sideways and immobilized. Also found at the residence are six doves, three hens, three roosters, and six quail.

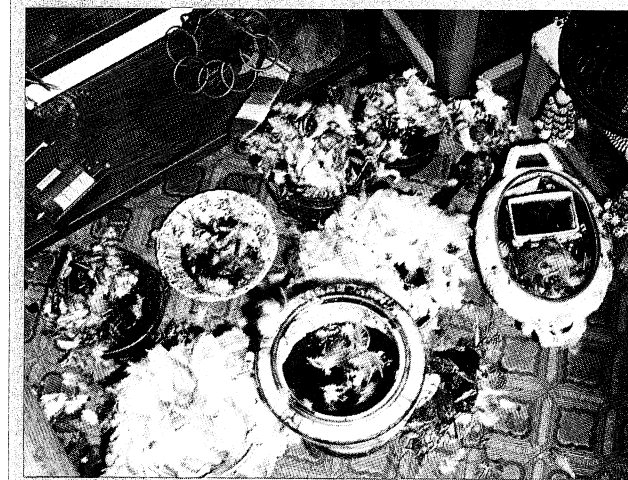
July 1988: Authorities raid a Hawthorne, California, home, seizing twenty-two chickens, two goats, a piglet, and a lamb. All animals are lice-infested and without food or water. Also at the scene are a dead turtle, four chicken carcasses, four goat skins, and a great deal of dried blood.

July 1988: In Riverdale, New Jersey, police stop a van when a bull's tail is observed crushed in the rear door. Two bulls are found inside the van. The van occupants admit plans to sacrifice the bulls. State humane agents charge the occupants with cruelty.

Sociologists estimate that as many as 2 million individuals dabble in Santeria in the United States and that there are as many as 75 to 100 million

devout practitioners worldwide. Since the influx of Cuban nationals into the United States during the 1980 Mariel boat lift, waves of Santeria followers have swept the country; hundreds of thousands of believers now reside in Florida, New Jersey, New York, California, and the Sunbelt. In the City of Miami alone, officials report as many as fifty thousand practitioners, some of whom secretly sacrifice an average of thirty-five animals per year.

No one knows the exact number of individuals worshipping Santeria deities, or, more importantly, the number of animals being sacrificed in the name of this primitive cult. What we do know, however, is that, each day in the United States,



Opposite, a headless chicken carcass is hung from a house beam to ward off evil spirits in Oyotunni Village, an animal-sacrifice cult, in South Carolina. Above, bowls hold remains of animals sacrificed in a manner typical of Santeria.

thousands of chickens, quail, goats, sheep, even dogs, are being ritually killed, their bloodless carcasses left in secluded areas as offerings to the gods.

For years, The HSUS has been battling this growing phenomenon, particularly in Miami, where the religion is said to be stronger in numbers than it ever was in its native Cuba. In a recent, highly publicized confrontation in the Miami suburb of Hialeah, a Santeria priest at-

tempted to establish a church for the open sacrifice of animals. The effort was obstructed when The HSUS drafted and helped gain passage of several city ordinances that ban animal sacrifice—ordinances that, while successful in prohibiting ritual killing, have spurred a highly controversial legal battle between the Santeria priest and the City of Hialeah (see sidebar).

In June, HSUS investigators visited Miami again, only to find the streets of the Cuban community littered with offerings to the gods. One need only spend a short time in Miami's "Little Havana" to know exactly where to find characteristic gifts to the gods—and one needn't

HSUS BEGINS A CRACKDOWN ON A BLOODY CULT

BY SANDRA ERICKSON

IS ANIMAL SACRIFICE LEGAL?

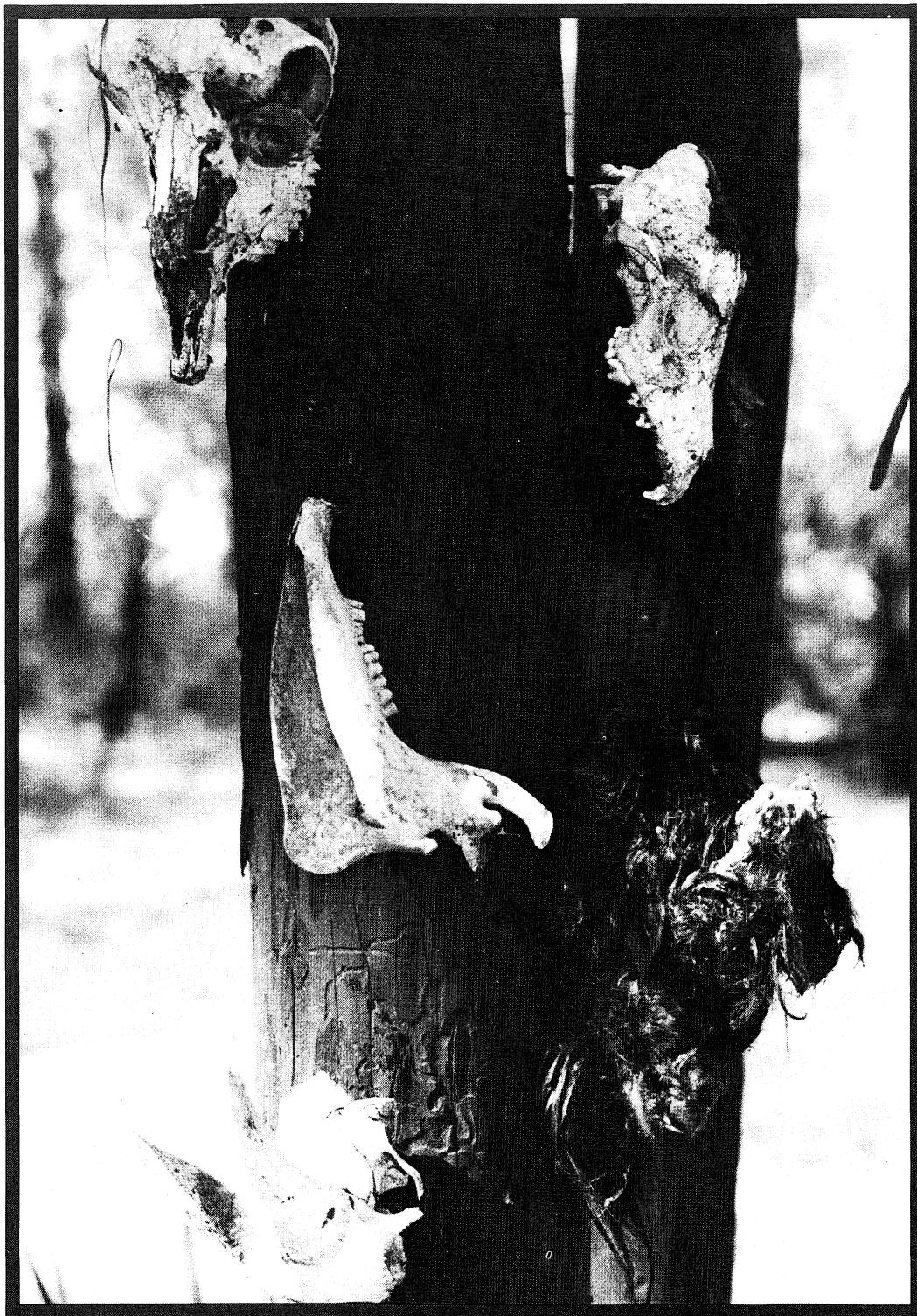
Last summer, in an effort to stop Santeria priest Ernesto Pichardo from openly sacrificing animals in his Hialeah church, The HSUS worked with the Hialeah City Council to draft ordinances to prohibit animal sacrifices in that city. Santeria leaders had long argued that the ritual sacrifice of animals was a right protected under Florida's kosher slaughter law—a measure that exempts religious slaughter from the state's humane slaughter act.

According to Florida Attorney General Robert Butterworth, however, Florida's kosher slaughter measure prohibits all sacrificial killing "other than for the primary purpose of food consumption." Supported by that strong opinion, the Hialeah City Council was able to pass the HSUS ordinances to ban the ritual sacrifice of animals in their community.

Unfortunately, Mr. Pichardo responded to Hialeah's actions by filing a lawsuit against the city, claiming that the ordinances violated his freedom-of-religion rights as guaranteed by the Constitution's first amendment. The HSUS maintains that the constitutional right of individuals such as Mr. Pichardo to the exercise of their religion does not outweigh the state's right to prevent unnecessary cruelty to animals. This interpretation has already been affirmed by several previous court rulings in a number of states.

The HSUS has placed itself firmly in the camp of the City of Hialeah and is pursuing the possibility of filing legal briefs as a "friend of the court" condemning the ritual killings of animals. In the meantime, the American Civil Liberties Union is helping Mr. Pichardo plead his case that animal sacrifice is an acceptable religious practice.

The constitutional battle over the practice of animal sacrifice could drag on for years, since neither side is likely to retreat from its position and both have vowed to continue the fight all the way to the U.S. Supreme Court.



—HSUS/BAKER

look far. In this Cuban settlement, chicken carcasses float down the Miami River by the dozens, pig entrails dangle from the branches of sacred trees, and goat skulls, decapitated pigeons, and offerings of fruits, pennies, and cigars can be easily unearthed in area parks and cemeteries.

Santeria, an Afro-Cuban religion, emerged in sixteenth-century Nigeria, when members of the Yoruba and other West African tribes were sold into Cuban slavery. Forced by Spanish settlers to embrace the Catholic faith, slaves held firmly to their religious roots by transferring the identities

of their Yoruba gods to Catholic saints. The result was Santeria—or saint worship—a religion based on African magical rites that ultimately transcended all cultural barriers and became widely accepted by many Caribbean Hispanics.

While practitioners worship "Seven African Powers" as well as scores of other minor deities, followers believe that each individual is born with one particular guardian saint, called an *orisha*, who must be worshipped throughout one's lifetime. To ward off evil or obtain money or power—to win a court case, for instance, or con-

trol a spouse—a wide array of rituals, often involving blood offerings of animals, as well as gifts of shells, beads, and ribbons, are performed to awaken the gods and obtain their favors.

The cult's initiation ceremony, called the *asiento*, is the longest and most expensive of all rituals, lasting about seven days and costing anywhere from \$4,000 to \$7,000. During this rite of passage, the practitioner's head is shaved. He eats only coconuts and smoked possum and drinks a few teaspoons of herbs and the blood of sacrificed animals each day. The *orisha* is presented with its favorite "foods," and more than one hundred animals—chickens, goats, sheep, pigs, pigeons—are sacrificed.

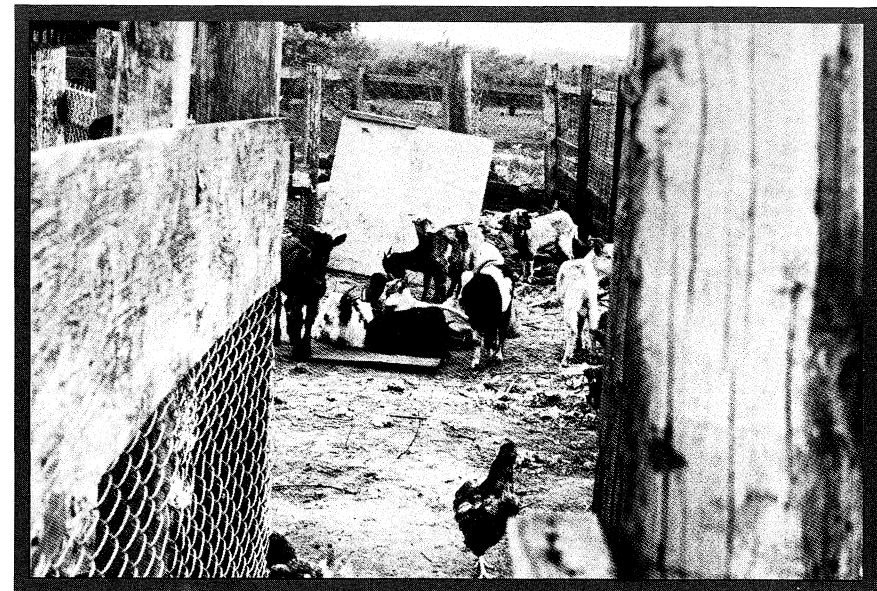
"They had slaughtered animals inside the house and in the backyard," recalled Miami Police Department Crime Scenes Technician Stephen P. Evans, who recently photographed the aftermath of an *asiento* raided by police. "Chickens had been killed in the kitchen, goats and sheep in the backyard. There were two rooms that were filled with small clay pots, and in each pot was the head of a goat or sheep. There were at least thirty pots in each room. I also counted about fifty dead chickens laid out in a single row coming up the hallway into the kitchen. It was a rather grisly sight."

"In the backyard," he continued, "there were cages of birds—quail, doves, pigeons. There were also the remains of slaughtered livestock—mostly hearts and skins. In one of the back rooms, there were two Latin men dressed in white robes. As I recall, these were the initiates, preparing to graduate."

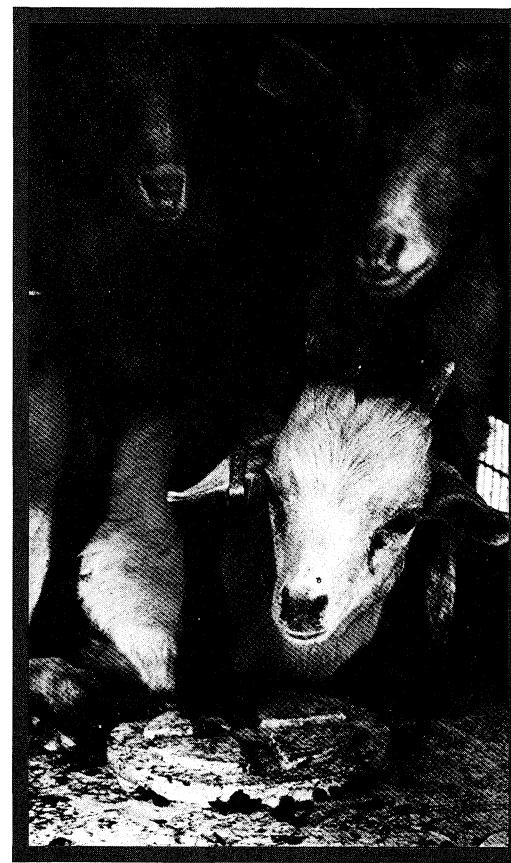
Other rituals range from simple rites to elaborate incantations and often require blood sacrifices to "feed" the gods. Hens, doves, and canaries may be rubbed over the practitioner's naked body in an effort to pass evil spirits into the bird. The animal is then killed and its blood drained into a coconut shell, which is left as an offering to the appropriate god.

With no church hierarchy or acceptable meeting place for believers to gather, rituals are conducted clandestinely in homes or other secret meeting places. Spells and rites usually take place under the direction of a priest, or *santero*, who is paid hefty for his services. Although such "services" are seldom witnessed by outsiders, the decapitated remains of animals attest to the large number of sacrifices taking place daily in the United States.

Because Santeria practitioners require a long list of bizarre paraphernalia to carry out their rituals—from animal parts and herbs to oils, icons, and good-luck sprays—religious supply stores called *botanicas* tend to flourish in places where there is a high concentration of cult followers. In the Miami area alone, seventy-five



—SUS



—HSUS

Opposite, dog and ram skulls nailed to a pole are part of an offering to one of the gods worshipped at Oyotunni Village. Above, numerous supply farms lie just outside Miami city limits to furnish cult practitioners with animals for sacrifice. Left, the three goats housed in this filthy airline transport kennel were offered for sale in a Miami *botanica*. The store owner had been arrested for the sale of illegal animals the week previously.

botanicas dot the city, furnishing practitioners with the supplies they need.

During The HSUS's recent investigation, agents turned up a number of area *botanicas* actually selling live animals for sacrificial purposes. While it is against Miami law to raise or sell large numbers of livestock or poultry within city limits, several *botanicas* we visited were harboring chickens, pigeons, quail, ducks, guinea hens, even goats in back rooms, closed off from public view. Housed in cramped, wire cages and filthy air-transport kennels, the animals were provided

WHAT YOU CAN DO

HSUS members should write to the Miami city manager, urging him to ensure that Miami's zoning ordinance—currently being revised—includes a provision prohibiting the possession, breeding, or sale of any poultry, fowl, and grazing animals in any residential and commercial areas of the city. Explain that City of Miami officials have, for too long, allowed the Santeria problem to go unchecked and have permitted practitioners to go unprosecuted. With the greatest concentration of cult practitioners in the country, Miami has facilitated the expansion of Santeria into other parts of the country. Urge the city manager to take immediate action to stem the tide. Write Mr. Cesar H. Odio, City Manager, 3500 Pan American Dr., Miami, FL 33133.

- Contact the president of the Greater Miami Convention and Visitors Bureau, explaining that you have no intentions of visiting the city until actions are taken to stop the unrestricted sale of animals for sacrificial purposes. Write Mr. George Kirkland, President, Greater Miami Convention and Visitors Bureau, 4770 Biscayne Blvd., Miami, FL 33137.

- One measure of determining the prevalence of cults in your community is to check your phone directory's yellow pages under religious suppliers or *botanicas*. Should you find such establishments in your area, contact The HSUS for a copy of our model ordinance prohibiting animal sacrifice and encourage local lawmakers to push for its enactment. (Write: Model Ordinance, The HSUS, 2100 L St., NW, Washington, DC 20037). ■

little, if any, food and water—the least possible care necessary to keep them alive until they were purchased for sacrifice. In one *botanica*, the back room was so crowded with animals that birds were flying freely about, hanging from the sides of crowded chicken cages. Working cooperatively with the Miami Police Department, HSUS investigators saw to it that several such suppliers were arrested...in some cases, more than once.

"This is the second arrest in a two-week period," reads a June ninth arrest report written by Miami Police Officer Frank Chacon. Over the years, Officer Chacon has repeatedly arrested individuals for selling illegal animals within city limits. "Inspection of the *botanica* revealed approximately sixty-five chickens cramped in a small cage. In another cage, approximately twenty growing chicks. Also fifteen guinea hens and thirty-five pigeons and fifteen ducks in a small cage with no food. In another small cage, three goats cramped inside. Goats had no food or water and goat feces made cage appear as if it had not been cleaned for days. The odor from these cages was unbelievable."

A few days after HSUS agents left Miami, the officer discovered several animals hidden inside a van behind another area *botanica*. "The animals had no food or water and the goats were very hot. There was a strong odor coming from the van, and flies," reads his report. Officer Chacon charged the store owner with cruelty to animals—only one of several times that particular store owner had violated the law.

"In Miami, these kinds of incidents are an everyday occurrence," said Officer Chacon. "It's virtually impossible to police all these *botanicas*.

You arrest these guys one week, and they're back in business the next. It's very discouraging," he continued, "because it's a losing battle."

Equally frustrating to both the Miami Police Department and The HSUS is the fact that, shortly after The HSUS had successfully organized a citywide task force—made up of officials of the Florida Freshwater Fish and Game Commission, the Miami Zoning Department, the Humane Society of Greater Miami, and concerned residents—to help police crack down on establishments selling livestock and poultry, the Miami ordinance prohibiting such animals was decriminalized, an action that prevents police officers from making any further arrests.

The HSUS is now working with public officials, urging them to prohibit the possession and sale of all poultry and livestock throughout the entire City of Miami. By incorporating such a stipulation into the city's zoning ordinance, The HSUS believes we can begin to make a serious impact on this pervasive problem.

The HSUS's newly formed task force is now committed to this issue and will soon initiate a major educational campaign to inform residents of the greater Miami area about cult practices, the magnitude of this problem, and how its continued presence will further blight the image of South Florida. The HSUS's ultimate goal in Miami, as well as in so many other cities where animal sacrifice is on the rise, is to enact strong laws prohibiting this brutal practice and to gain their strict enforcement. ■

"Sandra Erickson" is the pseudonym of an HSUS investigator now working undercover.



Southeast Regional Director Marc Paulhus (left) and others unearth a Santeria sacrifice in Miami's Sewell Park. Among the remains are ribbons, pennies, bones, and chicken carcasses.

1987

ANNUAL REPORT

THE HUMANE SOCIETY OF THE UNITED STATES

Education Activities and Services

The laboratory animals department continued to make the abolition of pound seizure (the taking of shelter animals for laboratory experiments) its highest priority. The department used its scientific expertise to gain congressional support for legislation (the Pet Protection Act) that would virtually eliminate pound seizure nationwide and aided more than a dozen state and local campaigns against this practice. (Unfortunately, this act is still awaiting congressional action.) The department opposed the formulation of the Chimpanzee-Management Plan of the National Institutes of Health (NIH), a breeding program to furnish an inexhaustible supply of these highly sensitive primates for use in research. Our concerns were presented to NIH officials and members of Congress. The department hosted the Jane Goodall workshop on the psychological well-being of captive chimpanzees, wherein participants drafted recommendations to aid the federal government in formulating regulations for an Animal Welfare Act amendment that would mandate that research primates be housed under conditions that ensure their psychological well-being. The department also continued to promote alternative research methods by testifying before congressional committees and drafting a comprehensive, technical survey of these methods for scientists.

The HSUS state legislative office was active in nearly 40 states working for enactment of animal-welfare laws or against bills to exploit animals. We contacted more than 46,000 members to inform them of legislative activities in their own states. We were successful in gaining enactment of a very strong animal-fighting law in Mississippi, as well as felony fighting laws in Oregon, Utah, and California. A bill protecting animals in dangerously overheated vehicles was enacted in Maryland; vicious-dog laws were enacted in Washington, Ohio, and Texas, based in large part on our guidelines; and a new law banned unprotected dogs in open trucks in California. We were able to defeat efforts in Pennsylvania, Maryland, Illinois, North Carolina, Ohio, and elsewhere to legalize horse and/or dog racing. Puerto Rican authorities were overwhelmed with protests regarding their cockfighting activities as a result of our organized efforts.

Our federal legislative staff worked extensively on the Pet Protection Act; with the aid of former senator Paul Tsongas, the house and senate versions of the bill were reintroduced with more cosponsors than in any previous year. We continued our efforts on behalf of the puppy-mill

resolution, the Consumer Products Safe Testing Act, and the Anti-Live Lure Act. New legislative ground was broken with the Veal Calf Protection Act and a bill to place a moratorium on the patenting of genetically altered animals. Jane Goodall, accompanied by our staff, met with many members of Congress to talk about the psychological well-being of primates.

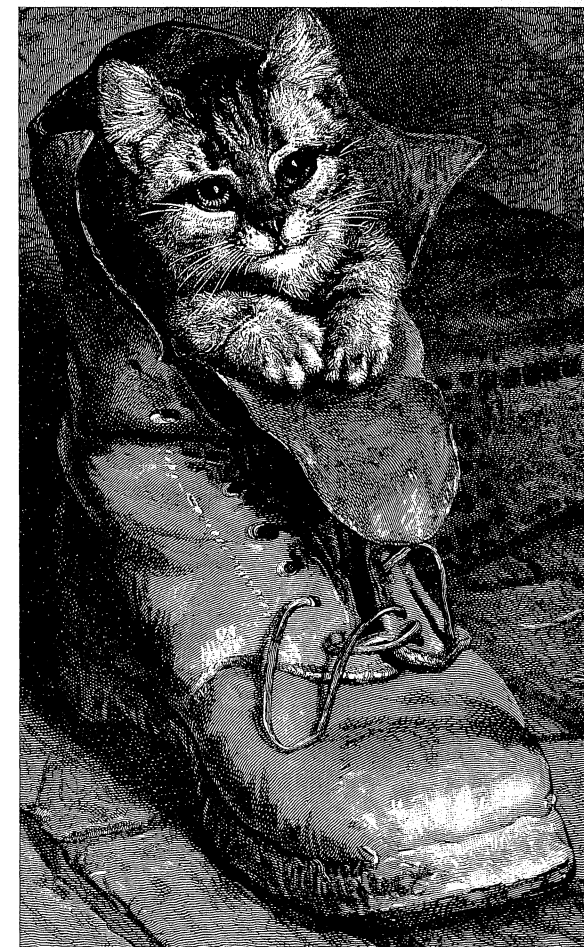
The National Association for the Advancement of Humane Education, The HSUS's education division, increased by 50 percent the readership of NAAHE's teaching magazine, *Children & Animals*. NAAHE commemorated the magazine's tenth anniversary by giving it a new, more colorful look. The readership of *Kind News*, NAAHE's newspaper for children, now totals more than 111,000 children nationwide. *Kind News* regularly featured such notable figures as Jane Goodall, Bill Cosby, and the rock band Boston as part of a new emphasis on introducing children to prominent humane role models. NAAHE's busy workshop schedule was highlighted by "Humane Education: Crucial Lessons for Today's Children," a full-day symposium at The HSUS annual conference in Phoenix, Ariz. Featured was NAAHE's Kids & Kindness program, conducted in affiliation with the General Federation of Women's Clubs.

Through this program, 359 women's clubs in 45 states "adopted" nearly 900 teachers in 1987. Forty-seven local humane societies also joined the program and adopted 471 teachers.

Two major HSUS campaigns were created in 1987. Our pet-overpopulation campaign, known as "Be a P.A.L.—Prevent A Litter," was to refocus America's attention on the devastating consequences of—and solutions to—the pet-overpopulation problem. A National "Prevent A Litter" Month was established in 1987, to be celebrated by animal shelters in 1988. Our anti-cockfighting campaign targeted the four states where cockfighting remains legal. A coalition of activists was formed in Arizona to begin work on legislation to end this inhumane activity.

The HSUS played a leading role in lobbying the International Whaling Commission (IWC) to pass resolutions that make it difficult for countries to continue killing whales for profit under the guise of "research whaling." HSUS staff journeyed to Japan and Iceland to investigate these nations' continued violations of the IWC moratorium. We began a boycott of Icelandic fisheries products to bolster our campaign to halt commercial whaling.

The companion animals department began the year with a three-day Profes-



sional Education and Training Service (PETS) seminar in Sacramento, Calif. The PETS program expanded to include a one-day session for managers and supervisors at each Animal Control Academy session. In its ninth year, the academy has graduated more than 1,000 students. Staff evaluated more than 30 shelters and worked with more than 500 organizations by letter and telephone. *Shelter Sense*, the HSUS newsletter for animal-sheltering and -control professionals, ended the year with a new design. The staff continued to work actively with local governments and humane organizations to propose and pass vicious-dog legislation.

During 1987, the higher education programs division continued to promote humane values in postsecondary education. Staff responded to more

than 200 requests for curriculum material on animal rights, animal welfare, and human/animal relationships. They intervened on behalf of students in several disputes regarding the use of animals in education and worked with dozens of faculty members to promote alternatives to such use. The program director delivered 35 lectures to academic and professional audiences in 19 states in the areas of veterinary medicine, mental health, and law enforcement.

Membership and General Public Information

The HSUS takes seriously its commitment to inform the general public on timely issues affecting animals. During 1987, the public relations

department publicized animal patenting and Jenifer Graham's fight against dissecting a frog in her high-school biology class. Both issues garnered media interest; "Good Morning America," "The Today Show," "The Late Show" with Joan Rivers, and "The ABC Evening News" ran pieces on the Graham case. The HSUS worked with game-show host Bob Barker to publicize the mistreatment of chimps on the movie set of *Project X*. HSUS staff appeared on "The Oprah Winfrey Show," "Good Morning America," "Nightline," "The CBS Evening News," "The Sally Jesse Raphael Show," and "Donahue" and acted as sources for countless articles dealing with the pit-bull problem.

The public relations department released seasonal press releases giving advice on Easter pets, spring pet care, and hot weather pet tips and distributed thousands of flyers warning against leaving pets in hot cars.

Program Services and Cruelty Investigations

Major HSUS investigations in 1987 focused on animal fighting, horse and dog racing, puppy mills and pet shops, exotic-animal auctions, zoos and imported-bird quarantine stations, animal pulling contests, greased-pig and other inhumane entertainment spectacles, abuses in the carriage-horse trade, and rescue of starving and abused livestock.

We worked with local societies in dogfight raids in Indiana, Ohio, Oklahoma, and Texas. We helped raid cockfight pits in California, Oregon, and Virginia; more than 900 birds and 65 people were involved.

To increase law-enforcement organizations' awareness of animal-fighting activity, we held training sessions across the country. Investigations in Kansas and Missouri produced another in our series of exposés of abuses and substandard conditions at puppy mills. We sought a congressional resolution and investigation of the U.S. Department of Agriculture's lack of enforcement of federal animal-protection laws. We effectively testified for stricter pet-shop regulations in New Jersey, which, as a result, now has the strong-

est regulations in the country. We also investigated pet shops and pet departments in Illinois; Connecticut, and the Southwest and we met with American Kennel Club officials to secure their help in cleaning up these operations.

We participated in the investigation of a huge battery egg-laying operation in California; investigated exotic-animal auctions in four states; stopped a "pigeon war" in Maine; inspected zoos in a dozen states; investigated imported-bird quarantine stations in three Texas locations; visited wildlife sanctuaries in a number of states; campaigned against inhumane performing acts such as donkey-basketball games; rescued 142 animals from overcrowded, unsanitary conditions in a California facility; fought attempts to introduce carriage horses in several cities; and helped achieve suspension of the license of a large dog and cat supplier to research laboratories in the West.

Wildlife and the Environment

The HSUS began planning a major offensive against the wearing of fur, to build on the success animal activists have experienced in Europe. Our efforts to thwart hunting took several forms. We assisted local activists in their fights against sport hunting for deer control, and we worked for passage of a federal bill to prohibit sport hunting and recreational/commercial trapping on the National Wildlife Refuge System.

We fought successfully for more protection for endangered species, including the Siberian tiger, several large parrots, hummingbirds, and chimpanzees, and against attempts to limit protection for other species, including leopards and elephants, nationally and internationally. We worked to re-authorize the Endangered Species Act in both houses of Congress.

Since wild birds bound for the pet trade suffer terribly during transport, we worked for state legislation to ban the import and sale of wild birds. We set up and continue to sponsor the Wild Bird Clearinghouse, which distributes information to other organizations battling the bird trade.

We actively supported a bill in Congress to restrict U.S. ivory imports and continued to monitor import/export permits for wildlife issued by the U.S. Fish and Wildlife Service.

Our staff inspected zoos, menageries, and wildlife auctions in search of abuse, and we were instrumental in closing the substandard Bates Wood Zoo in Connecticut.

We supported the Kangaroo Protection Act in Congress, and we fought to stop a new government policy requiring destruction of captured wild horses if not adopted after being held 90 days.

The Institute for the Study of Animal Problems

The Institute for the Study of Animal Problems was actively involved in legislation to overturn the U.S. Patent and Trademark Office's ruling that genetically engineered animals can be patented.

Our staff has monitored closely research in the United States and abroad involving the creation of transgenic animals for medical, agricultural, and other purposes.

We expect an escalation of research and development in genetic engineering that will intensify as new techniques are developed, especially in "molecular farming," in which gene-altered farm animals such as dairy cows produce various chemicals in their milk for medical and other industries; and in the creation of genetic animal models of various human diseases, particularly to help in the evaluation of new drug therapies for human patients.

We made substantial headway in our campaigns to intensify public concern and challenge agribusiness responsibility for the welfare of factory-farmed calves, hens, and pigs.

The Institute has been discontinued and replaced by the Center for Respect of Life and Environment, which will continue many of the Institute's programs with a greatly expanded mandate. Dr. Michael Fox is the director of the Center and HSUS board member Robert F. Welborn serves as chairman of its board of directors.

The Humane Society of the United States
Financial Operations Report For The Year Ended December 31, 1987

Statement of Financial Position at Year End

| | Unrestricted Funds | Restricted Funds | Endowment Funds | Annuity Funds |
|--|---------------------|---------------------|-----------------|---------------------|
| Assets | | | | |
| Cash and Cash Equivalents | \$ 4,162,702 | \$1,027,145 | \$ 6,512 | \$ 211,114 |
| Investments | 3,824,857 | — | — | 2,828,381 |
| Fixed Assets | 2,261,419 | — | — | — |
| Receivables, Deposits, and Accrued Revenue | 226,601 | 42 | — | 7,505 |
| Total Assets | <u>\$10,475,579</u> | <u>1,027,187</u> | <u>6,512</u> | <u>3,047,000</u> |
| Liabilities | 228,132 | — | — | 3,028 |
| Fund Balances | 10,247,447 | 1,027,187 | 6,512 | 3,043,972 |
| Total Liabilities and Fund Balances | <u>\$10,475,579</u> | <u>\$ 1,027,187</u> | <u>\$ 6,512</u> | <u>\$ 3,047,000</u> |

Statement of Revenue and Expenditures for the Year

| | | | | |
|--|---------------------|-------------------|---------------|-------------------|
| Revenue | | | | |
| Dues | \$ 3,582,077 | \$ — | \$ — | \$ — |
| Gifts | 2,691,732 | 350,000 | 102 | 49,844 |
| Bequests | 2,497,023 | — | — | — |
| Financial Income | 752,655 | 693 | 200 | 208,230 |
| Sale of Literature and Other | 251,106 | — | — | — |
| Other Trust Fund Income | 115,554 | — | — | — |
| Total Revenue | <u>\$ 9,890,147</u> | <u>\$ 350,693</u> | <u>\$ 302</u> | <u>\$ 258,074</u> |
| Expenditures | | | | |
| Humane Education, Membership, and Program Services | 4,605,868 | \$ — | \$ — | \$ — |
| Cruelty Investigation and Litigation | 788,604 | — | — | — |
| Management and General | 672,076 | — | — | — |
| Membership Development | 2,497,167 | — | — | — |
| Fund-raising | 402,002 | — | — | — |
| Payments to/for annuitants | — | — | 200 | 170,536 |
| Total Expenditures | 8,965,717 | — | 200 | 170,536 |
| Transfers to (from) | <u>7,819</u> | <u>(7,819)</u> | <u>—</u> | <u>—</u> |
| Excess of Revenue Over Expenditures and Transfers | <u>932,249</u> | <u>342,874</u> | <u>102</u> | <u>87,538</u> |

Statement of Revenue and Departmental Expenditures for the Year

| | Unrestricted Funds | Restricted Funds | Total |
|---|---------------------|-------------------|----------------------|
| Revenue | | | |
| Membership Dues | \$ 3,582,077 | \$ — | \$ 3,582,077 |
| Contributions | 2,691,732 | 350,000 | 3,041,732 |
| Bequests | 2,497,023 | — | 2,497,023 |
| Trust Income | 115,554 | — | 115,554 |
| Investment Income | 752,655 | 693 | 753,348 |
| Publications and Materials | 251,106 | — | 251,106 |
| Total Revenue | <u>\$ 9,890,147</u> | <u>\$ 350,693</u> | <u>\$ 10,240,840</u> |
| Expenditures | | | |
| Education Activities and Services | 2,626,295 | — | 2,626,295 |
| Membership and General Public Information | 772,111 | — | 772,111 |
| Program Services and Cruelty Investigations | 147,791 | — | 147,791 |
| Wildlife and Environment | 297,647 | — | 297,647 |
| Institute for the Study of Animal Problems | 137,108 | — | 137,108 |
| Litigation and Legal Services | 217,254 | — | 217,254 |
| Regional Programs and Services | 980,402 | — | 980,402 |
| Special Projects | 120,532 | — | 120,532 |
| Gifts to Other Societies | 95,332 | — | 95,332 |
| Administrative and Management | 672,076 | — | 672,076 |
| Membership Development and Mailing | 2,497,167 | — | 2,497,167 |
| Fund-raising | 402,002 | — | 402,002 |
| Total Expenditures | <u>8,965,717</u> | <u>—</u> | <u>8,965,717</u> |
| Transfers to (from) | 7,819 | (7,819) | — |
| Excess of Revenue Over Expenditures | <u>\$ 932,249</u> | <u>\$ 342,874</u> | <u>\$ 1,275,123</u> |

Contributions to The HSUS are tax-deductible.



Litigation and Legal Services

The Office of the General Counsel played a major role in the suit in a California federal court brought by student Jenifer Graham to determine whether a local school board may constitutionally penalize a student who, because of her reverence for life, refused to dissect animals in high-school biology class. Much of the year was spent researching case law, drafting pleadings, attending school-board meetings and court hearings, and providing other support to HSUS board Vice-Chairman O.J. Ramsey, who served as Ms. Graham's lead counsel.

The HSUS's aggressive field investigations inevitably result in suits against the society. Such an instance occurred in Ohio in 1987 and compelled the general counsel's office to coordinate HSUS defense against a countersuit.

Through prepublication review of articles and reports, administration of the lobbying accounting system, and providing advice on a myriad of legal issues and problems, the office supports the work of HSUS staff. Through advice to local societies and assistance to members and constituents on animal-welfare issues and planned giving, it supports our constituents.

Estate litigation, often necessary to secure bequests left to the society, is important in assuring the financial health of The HSUS and its programs. In 1987, such litigation had to be waged in several jurisdictions.

Regional Programs and Services

Thirty-six states are served through our eight regional offices and a staff of 25 directors, investigators, program coordinators, and support personnel.

The Midwest Regional Office helped to organize legislative coalitions in Nebraska and Missouri. As a result, a felony animal-fighting law was passed in Nebraska, a felony animal-theft law was passed in Missouri, and efforts to legalize dog racing in that state met with failure.

In the North Central region, 26 cruelty investigations were conducted in 10 states. Legislative testimony was presented in a variety of animal-welfare issues in 6 states. Making use of his many years of experience in investigative work on behalf of animals, the director gave 11 workshop and seminar presentations in 8 states.

Opposition to legalized dog racing and legislation to stop underground cockfighting in Texas kept the Gulf States Regional Office on the move during 1987. Following the running to death of 13 horses in a Catoosa, Okla., endurance race, the Gulf States office pushed for the district attorney to prosecute the race promoter. Our efforts helped bring about a guilty verdict in this case.

The Southeast Regional Office began a major campaign to oppose ritual animal sacrifice, a growing practice in the area. A major victory was achieved when Florida's attorney general issued an opinion that such sacrifice is illegal under state law. Florida's second spay/neuter clinic opened its doors, and Georgia took the first step toward its first spay/neuter clinic with the creation of a new humane organization in Macon.

The West Coast Regional Office continued its investigation of W.D. Kennels and James Hickey/S&S Farms, two Oregon animal dealers, and of John J. Casey, a cattle rancher, exposed on television's "20/20" program. West Coast investigators filmed and interviewed participants in the controversial Omak Stampede and Suicide Race in Washington State, and fought, with local organizations, the construction of a new research laboratory at the University of California, Berkeley. The West Coast Regional Office sponsored successful felony-dogfight legislation; helped to write and pass a "dogs in pickup trucks" law and a horse-stable cruelty law; and was instrumental in defeating a bill that would have barred humane societies from owning spay/neuter clinics.

Mid-Atlantic regional office staff, through media and investigations, helped to make New Jersey's pet-shop regulations the toughest in the United States. Regional and national staff testified at hearings on these regulations and other bills on stopping the sale of wild-caught birds in Pennsylvania, pets in housing in New Jersey, and a ban on vicious dogs

in New York. We held four workshops that attracted 445 attendees and a rabies symposium that drew 200 more.

The Great Lakes Regional Office was host to a two-day seminar for 60 Ohio cruelty investigators, assisted individuals and law-enforcement authorities in cases of cruelty to horses in Indiana and West Virginia, and worked with authorities in investigating dogfighting on four different occasions. We also played a major role in getting vicious-dog legislation passed in Ohio and sponsored a two-day seminar on controlling vicious dogs.

The New England Regional Office expanded its investigation into oxen, horse, and pony pulling contests and announced a \$1,000 reward for information leading to the arrest and conviction of anyone who cruelly trains or treats a pulling animal. The office sponsored a seminar on "Humane Solutions to Nuisance-Wildlife Problems" that drew more than 170 participants; the second annual full-day training seminar for Connecticut animal-control officers, in cooperation with the state Canine Control Division, which drew 120 participants; and a workshop on exotic birds for animal-control officers, zoo workers, and humane society agents.

Special Projects

"Living With Animals," a weekly half-hour television show co-produced by The HSUS, began its third season in 1987, airing on more than 90 public broadcasting stations. The program covered a variety of issues, including pet care, welfare of laboratory animals, the cruelties of wearing fur, and marine-mammal protection.

The HSUS continued its participation in the National Coalition to Protect Our Pets (Pro Pets) to work for the abolition of pound seizure.

We also continued our work with Determined Productions, manufacturers of fine quality plush toys, in the development of a retail line of dogs and cats to help promote responsible pet ownership.

Gifts to Other Societies

Part of The HSUS's commitment to animal welfare takes the form of financial support to and staff interaction with other organizations. In 1987, the Student American Veterinary Medical Association, the Culture and Animals Foundation, A.W.A.R.E., the Oklahoma Humane Legislative Committee, Citizens Against Pound Seizure, *Animals Agenda*, the World Society for the Protection of Animals, the Wildlife Information Center, the Jane Goodall Institute, the National Alliance for Animals Education Fund, Between the Species, the Mountain Lion Coalition, the Humane Society of the Permian Basin, Alaska Wildlife Refuge, Unexpected Wildlife Refuge, Texans Who Care, and the National Humane Education Center received such support.

Administration and Management

The Humane Society of the United States maintains a headquarters building in Washington, D.C., 9 regional office facilities; and the Norma Terris Humane Education Center. In addition, the society provides adequate equipment and personnel to administer the programs and business attendant to our responsibilities.

Membership Development

The impact of the animal-welfare movement is negatively affected by a small constituency. Consequently, The Humane Society of the United States has been involved in a vigorous campaign to increase our membership and circle of influence through membership development.

The constituency of The HSUS is now in excess of 800,000 persons.

Fund-raising

The HSUS funds its programs through membership dues and general contributions. *Close-Up Reports* and year-end appeals are the principal vehicles for seeking membership support. In addition, The HSUS continues to receive thoughtful gifts through bequests from faithful friends and members. ■

A REBUTTAL TO DR. ROBERT WHITE (AND *READER'S DIGEST*)

T

he March 1988 issue of *Reader's Digest* contained a seriously misleading attack on organizations and individuals concerned about the exploitation of animals in scientific experiments, an attack mentioned in Humane Society of the United States President John Hoyt's "President's Perspective" in the Spring and Summer issues of *The HSUS News*. Ironically entitled "The Facts About Animal Research," the article amounts to an emotion-laden editorial rife with opinions, distortions, and misrepresentations.

The author, surgeon Robert J. White, professes to be attacking the "extremists" among the animal-protection community, such as those who break into laboratories to free animals. In so doing, he seeks to portray himself as being far more reasonable than he actually is. By raising the specter of "animal-rights extremists," Dr. White cleverly misleads the reader into agreeing with his broadside against more than twenty years of efforts to introduce oversight and accountability into animal research. Consequently, his article is particularly offensive to moderate animal-protection organizations, such as The Humane Society of the United States, that have eschewed extremism.

Throughout his article, Dr. White criticizes current safeguards for animals in laboratories, despite his claim to have "no objection" to them. He thinks there is nothing in the labs to worry about, except rare cases of mistreatment. Hence, he, apparently, would leave oversight of animal research in the hands of the researchers themselves.

Dr. White states that "the public should have confidence that the animals used in our...laboratories are well treated." What he fails to understand is that, without an external regulatory system to ensure a modicum of public accountability, there can be little basis for such confidence. He notes that research facilities have animal-care and -use committees to oversee compliance with federal laws. Yet, at some institutions, these in-house committees are no more than rubber stamps, stacked with people who seemingly could not care less about animal welfare and who never stop a single experiment from being conducted.

Dr. White notes approvingly that there have been only a "half-dozen abuse cases since 1981." What he fails to mention is that such cases often come to light as a result of actions taken by the animal-protection/rights community, not by the research community, which suggests that the oversight system does not necessarily work effectively on its own and that many cases of abuse often go unreported.

Moreover, Dr. White's ethical frame of reference is limited to what is done to the animals before and after experimental procedures, not during them. The American people are concerned with not only "before and after care," but also the actual experimental procedures the animals must endure, including burning, freezing, shocking, irradiating, poisoning, cutting, blinding, infecting, addicting, even shooting. The regulations, as does Dr. White, say very little about what can and cannot be done to animals once they are on the operating table.

Dr. White's rosy assessment of the current treatment of laboratory animals contrasts with more candid views, including some of people directly involved in animal research. Witness the comments of two laboratory personnel who responded to an anonymous survey distributed by the American Association for Laboratory Animal Science (AALAS):

Technicians in many facilities are often exposed to various improprieties in animal research, i.e., sloppy procedures, substandard techniques, and improper handling of animals. When the technician brings these items to the attention of his/her supervisors and nothing is apparently done...[the technician knows] that there is still a lot left to be done before medical research is as pure as it presents itself in battling animal rights legislation (emphasis added).

Animals from shelters make poor research subjects, according to many scientists.

A past president of the AALAS commented, "One could go on for hours presenting anecdotal stories illustrating the ineptitude with which many investigators use animal subjects."

A Johns Hopkins University researcher noted that "most investigators think only briefly about the care and handling of the animals and clearly have not made it an important consideration in their work."

For all of Dr. White's dire pronouncements about the future of animal research, his immediate aim was rather limited—to stir up opposition to two federal bills that would keep people's former pets from winding up in research labs.

Dr. White claims these bills, S. 1457 and H.R. 778, are part of the "regulatory straightjacket" being fashioned by animal-rights extremists. Both bills, each known as the Pet Protection Act, would deny federal funding to researchers who obtain cats and dogs from pounds and shelters. Predictably, Dr. White neglects to mention several important considerations. Humane societies have almost universally condemned pound seizure, the practice of taking animals from a shelter and subjecting them to experiments, as a betrayal of both the former pets themselves and of the mandate of an animal shelter to protect animals from abuse and suffering, and as an impediment to effective animal-control operations. For a variety of reasons, animals from shelters make poor research subjects, according even to many scientists. The house and senate bills would affect the availability of less than 1 percent of all animals used in research. Pound seizure is already banned in twelve states, numerous counties and cities, and four foreign countries. These bills are supported by hundreds of moderate animal-protection organizations that do not fit Dr. White's portrait of law-breaking extremists.

Dr. White offers a crass and unscientific economic argument to justify the continuance of pound seizure. He argues that shelter animals cost \$15 or less, whereas animals purposely bred for research cost several hundred dollars. Even this limited economic argument is flawed, because it ignores hidden costs. Most shelter animals that are sold for research are purchased by middlemen, known as Class B dealers, who then resell them to laboratories. Although

these dealers, indeed, pay little for the animals, they then mark up the price for resale. A prominent Pennsylvania dealer charges \$155 for a medium-weight dog. Many shelter dogs used for research first undergo expensive medical "conditioning." The same Pennsylvania dealer charges \$200 for a pre-conditioned dog and \$246 for a fully conditioned one in the same weight range. That's a far cry from \$15!

When these hidden costs are added in, the cost of shelter animals is comparable to that of purpose-bred animals. According to an HSUS survey, purpose-bred mongrel dogs cost an average of \$300. That is comparable to the \$246 for the fully conditioned dogs from the Class B dealer.

The hidden costs of shelter animals continue to mount even after the animals have been purchased and conditioned. Dr. White fails to mention that shelter-derived dogs succumb to experimental procedures more readily than do purpose-bred dogs, and, therefore, more shelter dogs are needed as replacements than are purpose-bred dogs.

Under the heading "Shackled Experiments," Dr. White discusses regulations for animal-care and -use committees but raises only a single objection to their existence—to the committee's continued review of ongoing projects. This review has been labeled an "essential function" of these committees by Dr. H. Baker of the Bowman Gray School of Medicine.

Dr. White's primary evidence for "shackling" is the financial cost of regulations. Whose cost estimates does he cite? It should come as no surprise that he uses the figures supplied by the research industry itself. Whatever the actual cost, Dr. White fails to address it in the context of the need for some regulation. Just as the need for clean air regulations shouldn't be dismissed because those regulations cost money, animal-welfare regulations should not be dismissed, for the same reason.

Dr. White provides no documentation for his claim that "regulations...have already increased cost substantially." If the regulations are fair and proper, then their cost is simply part of the cost of conducting animal research and is the least we owe to the animals that are exploited.

That cost—whatever it amounts to—is a reflection of how low were the prevailing standards before regulations were enacted.

By calling attention to these costs, Dr. White has inadvertently called attention to the failure of research institutions to improve their animal facilities and animal-care practices voluntarily. He pays lip service to the truism that better standards for animal research yield better experimental results, yet he apparently draws the line at those standards that cost money.

Dr. White's defense of animal research, like many before his, includes a litany of medical advances that were allegedly derived from such research. One gains the impression that Dr. White equates animal research with all biomedical research—that no other forms of biomedical investigation exist. A host of alternative research methods does exist, however.

Indeed, according to an HSUS study, these alternative methods have made key contributions to the majority of significant biomedical advances of the twentieth century, as indexed by Nobel Prize awards in medicine and physiology.

Dr. White attributes the development of polio vaccines entirely to animal research, failing to mention the key role of alternative techniques in this medical milestone. The key breakthrough in polio research was the discovery of how to grow the polio virus in tissue culture, an "alternative" technique. This discovery, which paved the way for the development of polio vaccines, was awarded a Nobel Prize.

Alternative techniques could offer significantly greater contributions to medicine if researchers decreased their reliance on animal experimentation. The prestigious National Academy of Sciences noted that researchers were skeptical of tissue culture when this technique was introduced. If not for this skepticism, the academy wrote, tissue culture "might have been used to discover many of the vitamins, amino acids, and hormones." Some of the credit that historically devolved upon animal research could have gone to alternative techniques, had they been tried.

Until alternative methods can completely replace exploitative animal methods, existing regulations governing animal research should be vigorously enforced. One set of such regulations is based on the Animal Welfare Act (AWA). Animal protectionists have been frustrated by the lax enforcement of the AWA by the U.S. De-

partment of Agriculture (USDA). U.S. Representative Charlie Rose has introduced legislation to help remedy this situation. His bill (H.R. 1770) would give citizens the legal basis, or "standing," to sue the USDA to compel it to enforce its own regulations.

Dr. White is dead set against this reasonable legislation. He does not criticize the bill on its own merits, however. Instead, he claims that people would choke the courts with nuisance suits whenever they thought animals were being misused. This is not likely to happen. True nuisance suits could be readily dismissed by judges, and those considering such suits would realize that they would be poisoning the legal environment for later, well-intentioned applications of this law. Rep. Rose's bill applies only to situations in which USDA regulations are not being enforced. It would be pointless for activists to bring suit when the regulations were being enforced or when the regulations—which are limited in scope—do not cover the situation at hand.

Fortunately, Dr. White's views are not representative of those of the biomedical research community in general. Referring to the existing regulations for animal research, the assistant secretary for health of the Public Health Service recently wrote, "Responsible researchers support these protective measures." Dr. White's views represent those of a highly reactionary fringe that would roll back the clock to the "anything goes" days of the 1950s. He and others with similar views spent their formative years in unfettered research environments, and now they adamantly resist external oversight. Such researchers offer self-regulation as the guarantor of high standards in animal research. What these researchers fail to realize is that the current safeguards, though limited, are the public's only assurance that someone is watching what researchers are doing to animals. Without these safeguards, the extremism decry by Dr. White would be more prevalent.

Regardless of one's views on laboratory animals, the issues involved in this controversy are complex. Presentations as biased as Dr. White's do not help people reach informed opinions of their own. The public would do well to follow one piece of Dr. White's advice, "Don't be misled by emotional and false propaganda."

THE MAN BEHIND THE ARTICLE

No rebuttal of Robert White's opinions would be complete without a few words about the man himself. One would have thought that, for an author to defend animal research, the *Reader's Digest* would have chosen a researcher whose own experiments were well regarded and whose attitudes towards nonhuman animals were compassionate, though utilitarian. However, *Reader's Digest* (and Dr. White) fall short on both counts.

Dr. White, a neurosurgeon, is internationally infamous for conducting bizarre and macabre experiments. For decades, he disembodied the brains of living monkeys and dogs and tried to keep the brains "alive." He also tried to do the same with monkey heads, sometimes transplanting them onto decapitated bodies.

A chilling eyewitness account of one of White's experiments was provided by *Look* magazine in 1967. The subject was a monkey named Libby:

...White incised the skin of Libby's neck, uncovered the tissues and began to get rid of them, using a cautery that cut and burned at the same time. The first five hours of the operation would be spent like this, in demolishing Libby's head: muscle after muscle, nerve after nerve, vessel after vessel, slowly, patiently, implacably, until all would disappear like garbage among the dirty pads, and what would remain of Libby would be a body attached to a skull....By noon, Libby's neck had almost disappeared....White attacked Libby's jaws, Libby's mouth....fingers were stealing her nose, her left eye, her right eye, and her features no longer existed....so the body lay there, forgotten, until (an assistant) untied it and put it down on the floor. It was nothing now. All that Libby had been, her joys and her fears, her reactions and her memories, the jungle where she had been born, the net in which she had been captured, the cage in which she had been imprisoned, her last meal, the last flashing of her eyes when (an assistant) had hurt her with the needle, everything was still living inside that brain without flesh, connected with wires, with tubes, with cannulae....

In 1969, philosopher Catherine Roberts wrote that "the details of [Dr. White's] experiments are so horrifying that they seem

to reach the limits of scientific depravity." A 1983 newspaper account featured comments on Dr. White's research by fellow neurosurgeons. One said, "It has a practical value of zero." Another said, "It is almost the figment of one man's imagination.... He's telling you something that can't be done. He has no government funding because it [the research] isn't realistic." These statements are remarkable for their candor, given that scientists are normally reluctant to criticize the value of fellow scientists' work.

Dr. White's experiments were recently criticized at the annual conference of Public Responsibility in Medicine and Research (PRIM&R), an organization of professionals involved in human and animal research and medicine and concerned about biomedical ethics. The consensus of the participants was that Dr. White's experiments are at the fringe rather than the frontier.

Dr. White has not revealed a high regard for animal protectionists in his public statements, as one might imagine. He has written:

It would appear that this preoccupation with the alleged pain and suffering of the animals used in medical research may well represent, at the very least, social prejudice against medicine or, more seriously, true psychiatric aberrations.

In correspondence, *Reader's Digest* has sought to bolster Dr. White's status by referring to his position at Cleveland Metropolitan Hospital. Yet that hospital has distanced itself from Dr. White's article. The director of the Department of Surgery, in response to a complaint about Dr. White's statements, responded in part:

Dr. White is expressing his personal opinion in that article.... Although Dr. White may personally object to regulations requiring the involvement of our institutional Animal Care and Use Committee in individual experiments, we fully comply with those requirements and will continue to do so.

It is beyond belief that *Reader's Digest* chose Dr. White to give readers the "facts" about animal research. It is a tribute to the efforts of animal protectionists that Dr. White's horrifying experiments probably would not be approved by review committees today. ■

HSUS WORKS TO PREVENT THE TAKING OF CHIMPANZEES FROM THE WILD



—HSUS/MATTHEWS

Opposite, a wild chimpanzee mother clutches her infant in an effort to shield it from a human observer. Above, chimpanzees are prized as subjects by the biomedical community.

As humankind's closest relative, the chimpanzee is a symbolic link between our species and the rest of the natural world. Chimpanzees are more like us, genetically, physiologically, anatomically, and even behaviorally, than any other living beings. Because of these similarities, chimpanzees are prized in biomedical research as the ultimate surrogates for human beings.

Fortunately, international trade restrictions protect wild chimpanzees from exportation to research laboratories. These restrictions are designed to stave off the extinction of this endangered species and are enforced by the Department of the Interior here in the United States.

Unfortunately, another agency of the federal government is exploring ways of bypassing these trade restrictions, citing a shortage of chimpanzees for AIDS research. The National Institutes of Health (NIH), the agency that funds much of the nation's biomedical research, recognizes that domestic public opinion, as well as trade policies, all but prevent it from importing more chimpanzees from Africa. Consequently, NIH is seeking to export its research to places such as Africa and the Soviet Union, where regulation of chimpanzee trade is less strict.

The HSUS opposes any actions that would encourage the taking of chimpanzees from the wild. Therefore, we have been carefully monitoring NIH's plans to gain access to chimpanzees overseas. These plans have come to light during the last several months as The HSUS and other organizations and individuals have obtained confidential information through the Freedom of Information Act and other lawful means, and as NIH itself has issued public statements in response to criticism from animal protectionists.

In February, NIH held a closed-door briefing for congressional staff on the use of chimpanzees in AIDS research. One of the speakers said "we need thousands" of chimpanzees. After claiming that "the chimpanzee is considered to be an agricultural pest in many parts of the world where it exists," he stated:

I think the government or other responsible agency must do what it can to increase the numbers of chimpanzees for test purposes.... I think that a firm commitment to the programs for chimpanzee replacement through breeding might justify the increased use of wild-caught chimps for the

immediate future.

That the speaker was not an official representative of NIH does little to allay concerns raised by his alarming statements.

On March 11, 1988, a closed-door meeting was held by the Public Health Service's AIDS Animal Model Committee, a federal interagency committee composed primarily of NIH officials. The minutes of that meeting state:

Recently there have been frequent suggestions that we comment on the possibility of collaborating with African institutions to do chimpanzee research or to develop sources of these animals. Generally, the Committee does not have the basic information on the political climate and the status on chimpanzees and facilities in various parts of Africa needed to make a sound recommendation. It was suggested that we gather this information from those who often travel to Africa and compile a report. An additional suggestion was to do a field study of the chimpanzee population in various parts of Africa. It was the consensus of the Committee that a RFP (Request for Proposals) be developed to do an African chimpanzee field survey to provide us with the numbers of animals, serological information, and the condition of the chimpanzees.

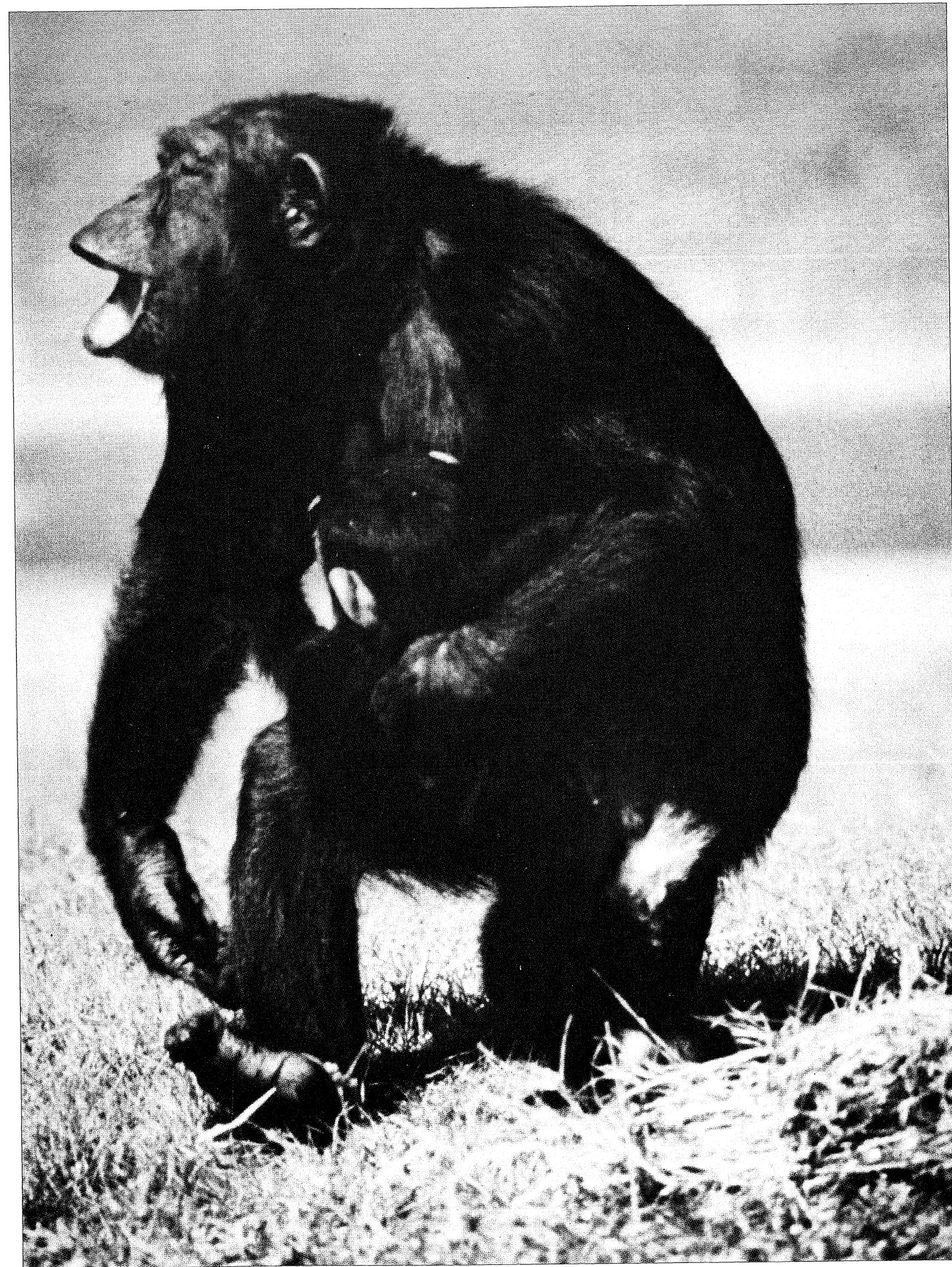
Three months later, NIH publicly revealed its plans in an Associated Press story that ran in newspapers nationwide:

The director of the National Institutes of Health, James Wyngaarden, confirmed in an interview that the government agency is considering AIDS research projects in Africa and the Soviet Union because U.S. law bans importation of chimpanzees.

Wyngaarden said NIH scientists want more chimpanzees than are available, but are thwarted by the U.S. Endangered Species Act and the fourteen-year-old Convention on International Trade in Endangered Species, a treaty that prohibits trade in animals threatened with extinction.

"We clearly don't want to get into an international fracas over seeming to subvert rules that apply in this country," Wyngaarden said. "But," he added, "we're taking lots of looks at Africa."

The NIH director did not explicitly mention taking chimpanzees from the wild; however, his interview, coupled with earlier statements about population surveys and the need for thousands of chimpanzees, do not bode well for wild chimpanzees. Animal protectionists responded. HSUS staff and Dr. Jane Goodall—an HSUS board mem-



—AMERICAN SOCIETY OF MAMMALOGISTS

A STEP FORWARD FOR CHIMPS?

On November 4, 1987, The HSUS, the Jane Goodall Institute, and several other organizations petitioned the FWS to upgrade the status of the chimpanzee to endangered. The FWS made a positive finding and opened an official comment period. At the close of the comment period, the government had received 54,600 cards and letters supporting the reclassification, and only 6 opposing it! The government now has until November 4, 1988, to make its final decision. We expect that it will list the species as endangered, in response to both the overwhelming scientific information and the wishes of the people. ■

ber and renowned chimpanzee authority—have been calling attention to NIH's plans on Capitol Hill and in the media.

Several chimpanzee experts, including Dr. Goodall and eminent biomedical researchers, have stated that any attempt to take chimpanzees from the wild for research would be unnecessary. Writing in the prestigious journal *Nature*, they noted that more than 1,200 chimpanzees are held in U.S. laboratories; hundreds of others are held in reputable foreign labs. They summarized current AIDS vaccine research and outlined a reasonable approach for future studies. Much of this research could be conducted on human volunteers, they wrote, given that most candidate vaccines pose little danger because of the way they are produced. The authors concluded:

If the above strategy is followed, the number of chimpanzees required for AIDS studies will be relatively small and well within the numbers available in biomedical...laboratories.

NIH has responded to criticism of its plans by distancing itself from some of its earlier statements and criticizing reasonable interpretations of those statements. It has denied it will support any action to obtain chimpanzees from the wild, according to a release issued following the Associated Press story. The release quoted from a NIH letter to the director of a primate research institute: "The NIH categorically denies the Jane Goodall allegation that we are planning to get chimpanzees from their natural habitat in Africa to send to centers around the world....

Our research is limited to chimpanzees already in captivity and their progeny."

NIH's effort at damage control was inconsistent with earlier statements. In particular, if NIH indeed plans to limit its research to chimpanzees already in captivity, why would the AIDS Animal Model Committee propose, at its March eleventh meeting, to have a population survey of wild chimpanzees conducted?

The HSUS requested that NIH issue a formal clarification of its plans for chimpanzees. In an apparent departure from earlier plans, the reply states that NIH will not conduct or support research overseas on chimpanzees that have not been in captivity since at least 1986 and will not conduct or support chimpanzee research in countries that do not adhere to the principles of a treaty governing chimpanzee trade. We are encouraged by this new policy. Nevertheless, we are not fully assured that wild chimpanzees will not wind up in NIH's overseas projects, given the lax enforcement of chimpanzee trade restrictions in these countries, the uncertainty over where the animals for these projects will come from, and the difficulty of breeding chimpanzees in captivity, even under the best of laboratory conditions.

Our uneasiness also stems from a puzzling discovery. NIH claims that a shortage of chimpanzees in U.S. laboratories is hampering efforts to develop an AIDS vaccine. Yet, The HSUS has learned that NIH has ignored repeated offers by a reputable U.S. laboratory to make significant numbers of chimpanzee offspring available for AIDS research.

NIH is not the only research organization seeking access to chimpanzees overseas. In May, a commercial research and testing firm based in New Mexico announced that it had entered into a joint venture with the Chinese government to establish a chimpanzee breeding colony in China. The venture was heralded by the American firm as "a great step forward in medical research that will benefit the world." A newspaper account of this announcement made no mention of why an American firm would want to breed chimps in China rather than its own chimpanzee facility or where the chimpanzees to start

the colony would come from. According to the Committee for Conservation and Care of Chimpanzees, an organization of concerned chimpanzee experts, the "starter" animals would need to be imported, as China has neither a breeding colony nor a laboratory colony of chimpanzees. Such trade in chimpanzees can reasonably be expected to lead to the taking of the animals from the wild.

The various schemes to gain access to chimpanzees overseas become more understandable in light of existing treaties and laws. The United States is a signatory to the Convention on International Trade in Endangered Species (CITES) treaty, which lists chimpanzees on Appendix I (endangered) and thus protects them from international commerce. Since 1976, the U.S. Endangered Species Act has listed chimpanzees as "threatened" (likely to become endangered in the foreseeable future throughout all or most of its range*). In addition, most African countries pro-

hibit chimpanzee exports; many also have laws that protect the species at home.

In 1981, the World Health Organization (WHO) adopted a "Policy Statement on Use of Primates for Biomedical Purposes," which states, in part:

(1) endangered, vulnerable and rare species should be considered for use in biomedical research projects only if they are obtained from existing self-sustaining captive breeding colonies....

In April 1987, the director-general of WHO stated in correspondence that "officials working in the Organization's programmes dealing with biomedical research are required to respect this policy statement. WHO will not cooperate in research by any entity that is shown to be acting inconsistently with the principles of that statement."

By some scientific measures, no more than 175,000 chimpanzees survive in Africa, dispersed over an area far greater than the entire United States. Within this

century, numbers in one region have fallen from more than 1,000,000 to less than 20,000. Once present in twenty-five countries, chimpanzees have vanished from four nations, are on the verge of disappearing in five others, and may be exterminated in another five to ten years.

This tragic decline is the result of human activities—habitat destruction, subsistence hunting, and commercial trade.

Although capture for export is just one factor responsible for the diminishing numbers of chimps in Africa, its impact extends far beyond the numbers of individuals that actually wind up in laboratories. This trade is most active in infants, which are completely dependent on their mothers for survival, remaining in physical contact from two to three years and nursing from three to four years. The usual method of capture is to shoot the infant's mother and any other individuals that come to the victim's aid. These adults are fired upon with shotguns or flintlocks loaded with stones or metal

or killed in other ways.

Many infants themselves die or are seriously wounded during their capture. Separated from their mothers and other family members, captured infants suffer and die due to starvation and dehydration during transport to remote villages and overseas markets. They are shipped in tiny cages, with no adequate food or care. Scientists estimate that ten chimpanzees die for every one that arrives alive at its final destination. This deplorable international trade in infants may lead to the extinction of chimpanzees within our lifetime.

The HSUS's position on the use of chimpanzees for biomedical research is that such use should not involve taking individuals from the wild and should proceed only when it is absolutely indispensable to a given line of study, and only when such study significantly benefits society or the chimpanzees themselves. Furthermore, the rearing and research conditions should be humane and naturalistic.

To date, NIH has failed to demonstrate that chimpanzees are indispensable to AIDS vaccine development. Indeed, serious questions remain about the utility of chimpanzees as animal models of AIDS. These questions add fuel to our skepticism towards proposals to expand chimpanzee research to overseas facilities.

The HSUS continues its efforts on behalf of chimpanzees. We are:

- Lobbying members of Congress.
- Petitioning the U.S. Fish and Wildlife Service (FWS) to upgrade the status of African chimpanzees under the Endangered Species Act, to afford the species greater protection (see the Winter 1988 *HSUS News*).
- Financially supporting, and working closely with, the Committee for Conservation and Care of Chimpanzees in its efforts to protect wild and captive chimpanzees.
- Pressing NIH for clarifications of its policy on procuring chimpanzees overseas.
- Seeking greater protection for chimpanzees already held in captivity, by hosting a workshop on the psychological well-being of captive chimpanzees (see the Winter 1988 *HSUS News*) and by testifying for reforms in the National Chimpanzee Breeding and Research Plan. ■



More than 1,200 chimpanzees are held in U.S. laboratories and hundreds of others are held in reputable foreign labs, according to experts writing in the prestigious journal, *Nature*.

* The HSUS, the Jane Goodall Institute, the World Wildlife Fund, and other environmental and animal-welfare organizations have petitioned the FWS to upgrade this listing from threatened to "endangered" (at risk of extinction). The FWS has until November 4, 1988, to render its decision (see sidebar). NIH opposes the upgrading.

BY SANDY
ROWLAND

A RARE DAY IN JUNE

The workday for Robin Weirauch, HSUS Great Lakes program coordinator, Randy Lockwood, HSUS animal behaviorist, and myself began well before dawn on June 16, 1988. It was to end close to midnight, almost twenty hours later, after an unprecedented raid on what Federal Bureau of Investigations personnel called the headquarters of a national underground dog-fighting ring in southwest Ohio. Working with FBI and local law-enforcement officers, HSUS staff helped to rescue approximately 150 dogs from two farms in Clinton and Clermont counties.

Our role was explained to us at predawn briefings. Randy Lockwood and I were to work with the law-enforcement team in Clermont County to assist in collecting evidence and handling whatever dogs were found there; Robin was to have a similar role with the team going to the Clinton County location.

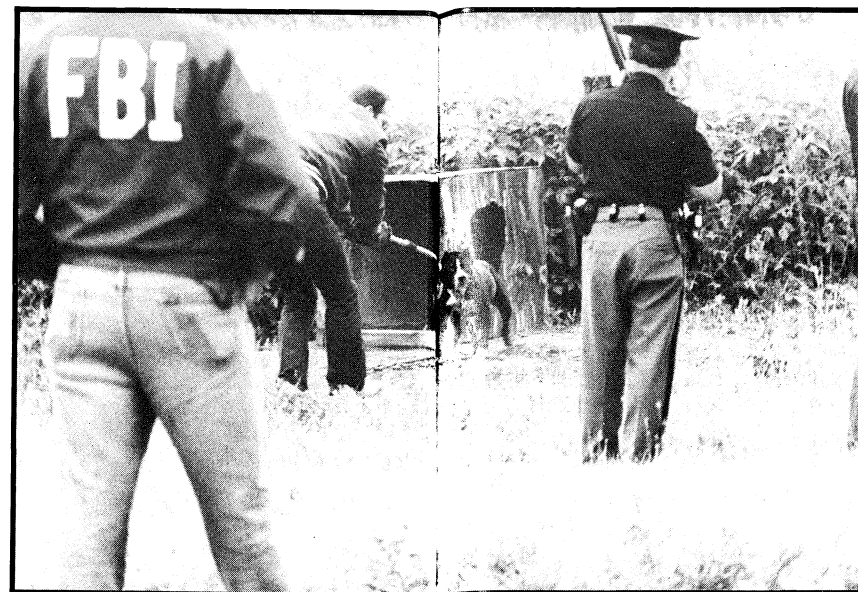
Randy and I were part of a long procession of law-enforcement vehicles traveling down small, winding roads, through tiny rural communities, and, finally, into a thicket of dense vegetation and up a steep hill. The police vehicles ahead of us carried armed personnel, who, in a well-

choreographed maneuver, surrounded the house, their weapons raised in readiness. I can't describe our anxiety as we endured two or three tense minutes before being told that the house was secured and we could get to work. My mind returned to the months of meetings, telephone calls, and endless plans that had led to this day. All the work would be worth it if we could put a major dogfighter out of business!

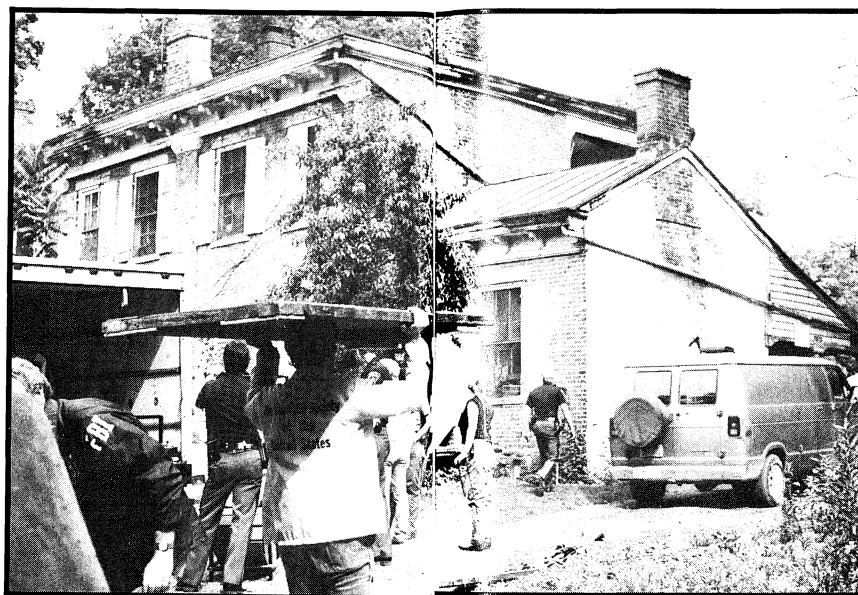
My eyes immediately focused on what appeared to be an endless number of pit-bull terriers staked out individually in circles of worn turf throughout many acres of property. Each dog was tethered with a heavy logging chain to a makeshift dog-house. Some of these houses were overturned fifty-five-gallon metal drums. The sun was just rising, and it was obvious that these drums would turn into boiling hot cauldrons later in the day. Eighty-three pit bulls, several Akitas, a Doberman, and a Shar Pei were among the staked prisoners.

The dogs were tagged for identification by the authorities and kept at the farm under guard.

We searched the house and discovered a room full of trophies, ribbons, and photographs, hundreds of names on mailing and shipping lists, registration papers, dog-fighting videotapes, and other dog-related correspondence. A room just off the



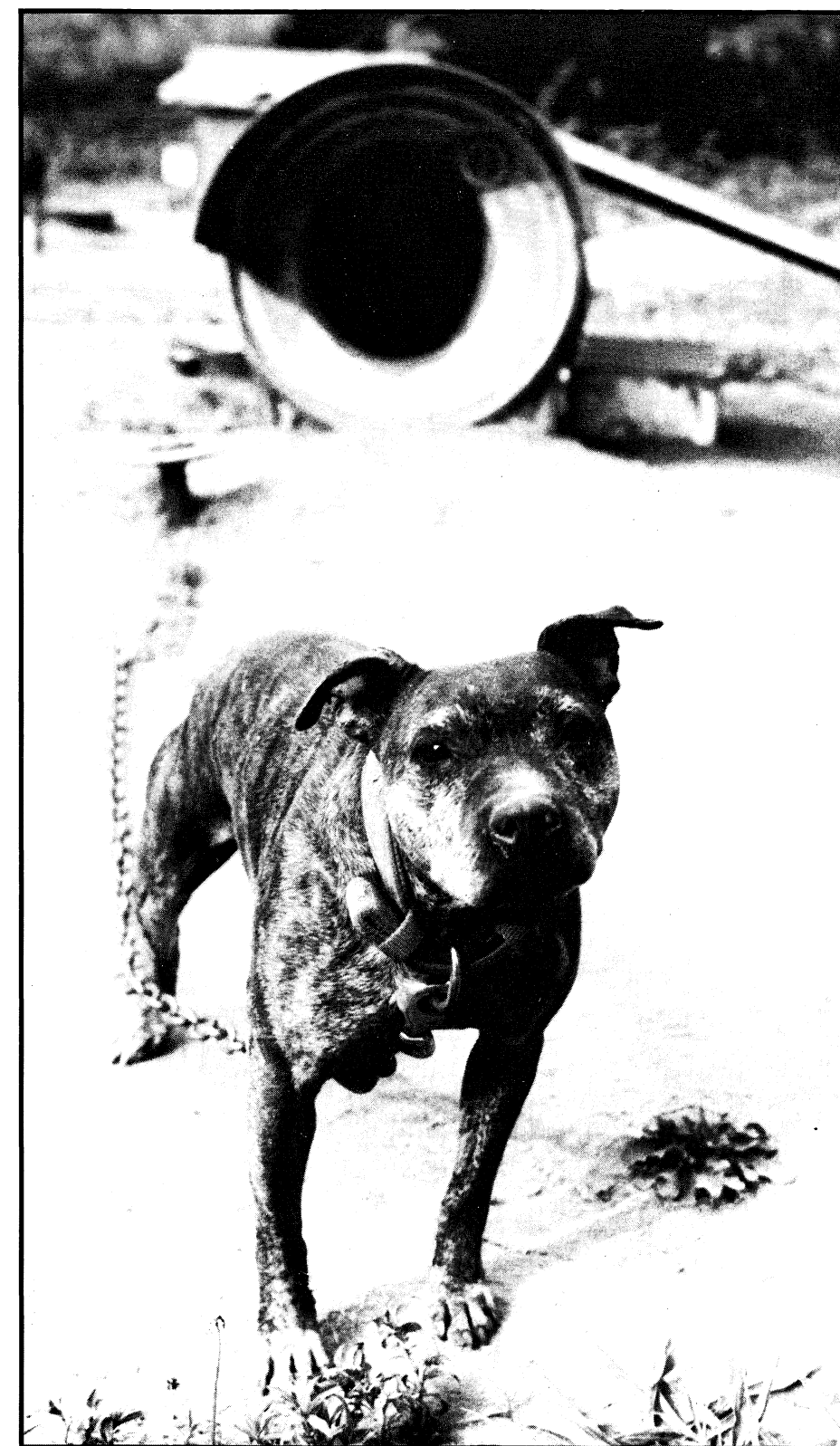
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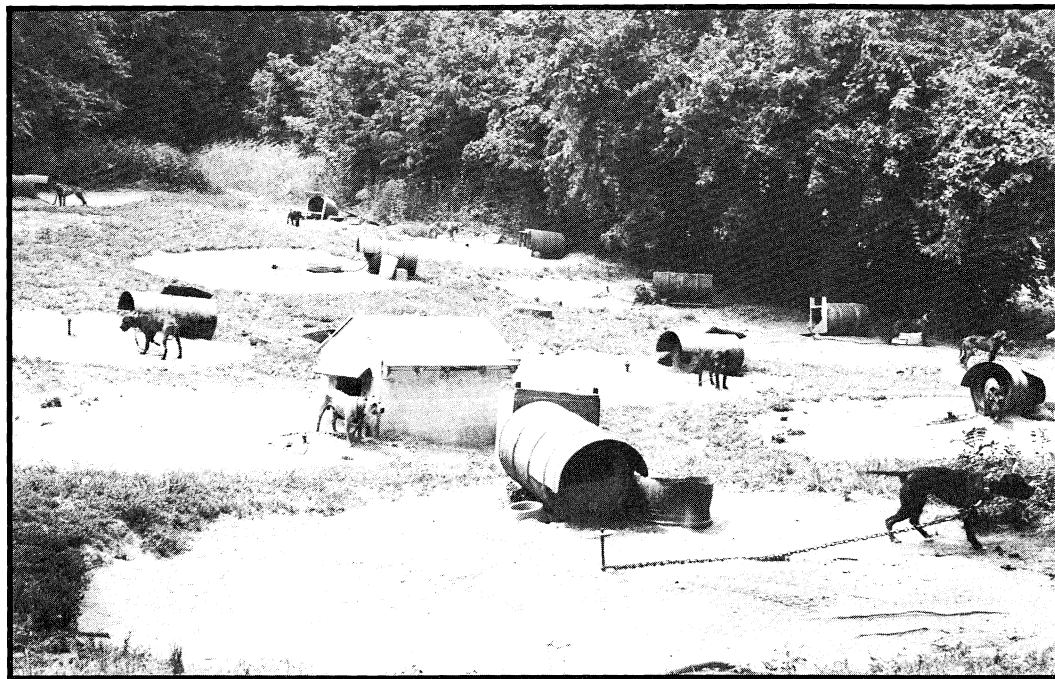
—HSUSLOCKWOOD



—HSUSLOCKWOOD

Opposite, top, FBI and local law-enforcement officers restrain one of the pit-bull terriers found on the Gaines property. Middle, HSUS and FBI personnel load the dismantled dog pit found on the Lowe premises for

transport with other evidence seized at the scene. Bottom, HSUS Regional Director Sandy Rowland comforts one of the pit-bull terrier puppies found at the Lowes' farm. Above, a curious pit bull greets its rescuers.



HSUS/LOCKWOOD

HSUS and law-enforcement personnel discover some of a seemingly "endless number of pit-bull terriers staked out individually in circles of worn turf" during the raid on the premises occupied by William and Margaret Lowe.

kitchen filled with debris and filth contained an animal-surgery table and a stand for administering intravenous fluids.

In the kitchen, we found a cupboard filled with veterinary drugs. Taped on the refrigerator door was a poster offering a reward for information leading to the arrest and conviction of persons involved in dogfighting. It had been stolen and turned into an object of humor by the residents. It should have been taken as a warning.

Outside, in the barn, investigators found a dogfight pit. Several blood-stained parting sticks, used to separate dogs whose jaws have locked closed, were lying on the floor. A device used to build up the dogs' endurance and jaw strength was attached to the barn ceiling. Dogs had been forced to bite down on an animal-hair pelt attached to the end of a rope and then suspended from the second-floor level.

Perhaps the most depressing sight was that of the burial ground. Here were bodies of fighting dogs whose luck had run out before we had been able to rescue them.

In Clinton County, the law-enforcement team found forty-two fighting dogs, many of which were champions of the fighting world. Weapons, a marijuana crop, another pit, and treadmills were among the evidence seized at this location. A ferret in a maggot-infested cage between two treadmills, apparently serving as bait for dogs as they ran, and a live great horned owl, its feet jammed into a steel-jaw trap, were both rescued and later rehabilitated.

At day's end, Kenneth and Cathy Gaines of Blanchester, Ohio, and William and Margaret Lowe of New Richmond had been arrested on state and federal charges.

Two large moving trucks had been filled with evidence gathered on the properties. One hundred and thirty-five dogs had been spared further exposure to the cruelties they had endured.

For the first time, federal law-enforcement personnel had taken part in a dogfighting investigation. They had been rewarded with finding evidence of a major international operation, including records of dog sales from seven foreign countries and membership information from dogfighting clubs. Terrence Dinan, special agent in charge of the FBI in Cincinnati, told members of the press that nearly every state was involved in the clubs and sales.



HSUS/ROWLAND

Randy Lockwood holds an animal-hair pelt device seized in the Ohio raid.

FBI Special Agent David Lichtenfeld gave credit to The HSUS in the case. "The Humane Society was able to assist a great deal in this investigation because they are always monitoring the activities of dogfighting, and they contributed some very valuable information," he told a reporter.

After the raid, Robin and I were interviewed repeatedly by the media. Randy Lockwood testified at the hearing on disposition of the dogs seized in Clinton County that those trained for fighting could neither be rehabilitated as pets nor held at any animal shelter without causing danger. All of the fighting dogs were later euthanatized.

The federal grand jury in Cincinnati returned a three-count indictment against the Lowes for transporting dogs in interstate commerce for the purposes of participating in an animal-fighting venture. It also charged Kenneth Gaines with three counts of transporting dogs in interstate commerce for the purposes of having such dogs participate in an animal-fighting venture and Cathy Gaines with a one-count violation. No warrants of arrest or summons were to be issued on federal charges until the state charges were settled.

Evidence from this case has demonstrated that other criminal activity, including drug cultivation, gambling, and possession of illegal weapons, exists in the underground world of dogfighting. This information will not be ignored by state and federal law-enforcement agencies. We stand ready to cooperate with them. ■

Sandy Rowland is director of the HSUS Great Lakes Regional Office.

AROUND THE REGIONS

WEST COAST

Dealer Still in Business

Charges of animal neglect and false record-keeping against James W. Hickey, an animal dealer doing business as S&S Farms and S.S. Farms, Inc., in Lebanon, Ore., have been upheld following an appeal. In a decision signed May 27, 1988, Judicial Officer Donald A. Campbell found that Mr. Hickey grossly neglected to comply with housing, sanitation, and veterinary care standards for dogs and cats kept at his commercial facility (see the Fall 1987 *HSUS News*).

Although the initial decision and order calling for a \$40,000 civil penalty, suspension of Mr. Hickey's federal license for twenty-five years, and a cease-and-desist order against future violations were upheld by the judicial officer, the West Coast Regional Office learned recently that Mr. Hickey has filed suit with the U.S. court of appeals and has received a stay allowing him to continue to operate. New complaints about Mr. Hickey's operation have since been received. The HSUS West Coast Regional Office asks that anyone with information concerning this case contact it immediately (1713 J St., Suite 211, Sacramento, CA 95814).

Nuisance-Wildlife Seminar

The West Coast Regional Office will present the HSUS Nuisance-Wildlife Seminar on March 3, 1989, at the Plaza International Hotel in San Diego, Calif. The program provides practical, humane methods for preventing or solving common wildlife problems around the home or workplace. For further information, contact the West Coast Regional Office at the address above.

Off Scot-free?

In July, the California State Personnel Board upheld disciplinary actions taken last year against three prison guards accused of throwing stray cats to a pit-bull dog at a correctional facility in Mendocino County (see the Winter 1988 *HSUS News*). Four guards were ordered to take pay cuts ranging from \$750 to \$3,150 after an internal investiga-

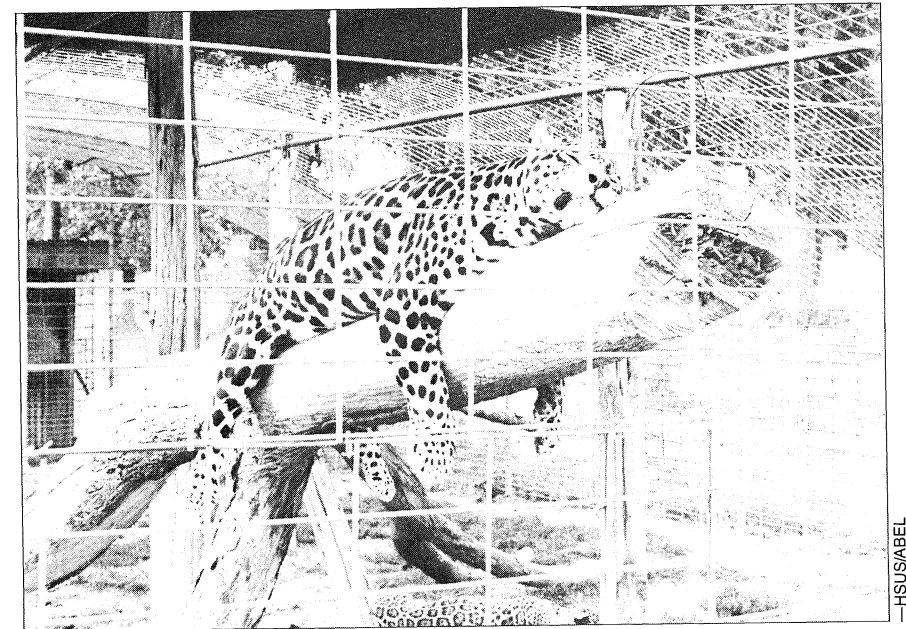
tion concluded they had staged bloody fights between the pit bull and dozens of stray cats at the Chamberlain Creek Conservation Camp from July to December 1985.

Unfortunately, all four of the guards still work for the Department of Corrections, in facilities other than Chamberlain Creek, and there is little chance Mendocino County will file any

criminal charges against them. According to news accounts, Mendocino County District Attorney Susan Massini decided that the statute of limitations for prosecuting the killings had expired and that ownership of the cats was never established.

The HSUS and other groups have expressed outrage over the light penalties for the guards involved. ■

MID-ATLANTIC



HSUS/ABEL

A leopard in a New Jersey zoo naps on a warm day. Mid-Atlantic regional office staff recently toured zoos in New York and New Jersey to discuss any problems.

Shelter Visits

Mid-Atlantic Regional Program Coordinator Rick Abel spent the spring and summer months visiting animal-welfare and -control shelters throughout the four-state region in an effort to better acquaint shelter personnel with the Mid-Atlantic Regional Office and The HSUS. Mr. Abel met with executive directors and managers of shelters, board members, shelter volunteers, and other staff members.

Shelter management, adoption policies, spay/neuter contracts, investigations, and humane education were discussed during the visits. As a follow-

up, HSUS materials were sent to the groups.

Zoo Visits

David Herbet, HSUS captive wildlife specialist, Mid-Atlantic Regional Director Nina Austenberg, and Mr. Abel recently visited zoos in New York and New Jersey to discuss any problems with zoo personnel and offer suggestions for solutions. A female chimpanzee, kept for many years without the companionship of its own species, may be moved from the Staten Island Zoo to a chimp colony as a result of such a recent HSUS visit. ■



GULF STATES

Shelter Investigation

In July, Gulf States Regional Investigator Bernie Weller assisted with an investigation of the Nueces County (Tex.) Animal Shelter. Shelter animals had been left for several days without food or water. Several dogs had died and had been cannibalized by the other dogs. The Gulf States Regional Office is urging the government agencies responsible to enforce the applicable anti-cruelty laws, although local officials maintain that they lack sufficient evidence to pursue the case.

Drug Ban Requested

The Gulf States Regional Office has submitted detailed comments and recommendations to the Texas Racing Commission, which is currently accepting public comments for that state's proposed racing regulations. Racing proponents and those appointed to the racing commission promised that racing in Texas would be so tightly controlled that no drugging or abuse of animals could occur. Unfortunately, the regulations currently proposed do not prohibit drugging. The HSUS is asking for a complete ban on drugs.

Free Videotapes

The Gulf States Regional Office is developing a coordinated effort to supply videotapes to local cable television stations for broadcast at no charge on public access channels. Local humane societies can participate in this program and obtain exposure by tagging the film with their group's name. The Gulf States Regional Office will obtain the videocassettes and distribute them within the region. Local societies need only take the tapes to their local cable television office and return them within a month.

For more information, contact the Gulf States Regional Office, 6262 Weber Rd., Suite 305, Corpus Christi, TX 78413.

Humane Symposium

May 27 and 28 marked the first Humane Philosophy and Education Symposium held in the gulf states

region. Nearly 150 people attended. At the symposium, a new Gulf States Humane Educators Association was formed and a steering committee selected. The group plans to advance

MIDWEST

Teamwork

The Midwest and West Coast Regional Offices recently teamed up to investigate puppy mills in the Midwest that were exporting sick and diseased puppies to California. After the West Coast Regional Office received numerous complaints from consumers who had purchased sick and diseased puppies from pet stores in the Sacramento, Calif., area, the puppies were traced to midwestern puppy mills. The Midwest Regional Office then investigated the conditions at the breeding facilities.

A television news crew from Sacramento accompanied Mr. Maddox on this investigation. Film of the investigation was used in a four-part news story

reverence for life through education. For more information about the association, contact Joe LaPalomente at the Houston SPCA, 519 Studemont Rd., Houston, TX 77007. ■

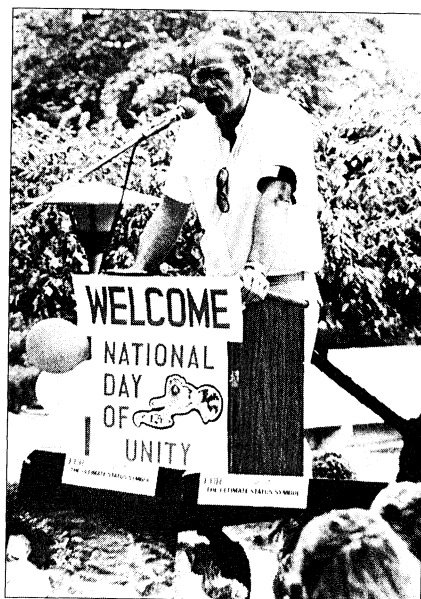
that has been shown in cities throughout the country.

Giving Shelter

After three years of planning, the Olathe (Kans.) Animal Shelter held its grand opening ceremonies on August 19, 1988.

Midwest Regional Director Wendell Maddox worked closely with city officials. The new shelter has been built to meet HSUS standards and includes air conditioning throughout the building, separate puppy and kitten rooms, an observation/isolation area, an examination/euthanasia room, an adoption room, a reception area, a thirty-six-run kennel area, a kitchen, a utility area, and a separate animal-control office. ■

NORTH CENTRAL



Regional Director Franz Dantzer speaks at a Peoria anti-fur protest.

Peoria Protest

More than two hundred animal-rights activists assembled in Peoria, Ill., on August 13, 1988, to protest the National Trappers Association Convention. Ten states were represented in the protest, and dozens of letters from celebrities and well-wishers helped make the protest a great success. North Central Regional Director Frantz Dantzer was one of several speakers who addressed the supporters prior to a silent march to the convention center where the trappers were meeting. Many trappers were outside displaying their pelts, traps, and other trapping wares while the protesters marched quietly around the convention center, carrying banners and posters displaying humane messages. Program Coordinator Robin Weirauch, from the Great Lakes Regional Office, also participated in the rally. ■



SOUTHEAST

Rabies Bill

The Southeast Regional Office plans to reintroduce a statewide rabies-control bill in Florida's legislature that would increase the percentage of dogs and cats inoculated against rabies while at the same time saving Florida pet owners an estimated \$50 million a year. Included is a provision recognizing the duration of immunity of three-year vaccines.

Most veterinarians use the three-year vaccine rather than the one-year version but fail to tell their clients the shot is effective for the longer time period. Pet owners then return to the vet every year and pay unnecessary revaccination costs. Local governments may unknowingly cooperate in this activity by enacting laws that require annual rabies shots. This bill's passage would prohibit local governments from passing ordinances requiring annual rabies vaccinations when the three-year vaccine is used.

Another section of the bill permits animal shelters to administer rabies vaccines to animals leaving their custody.

The bill passed both houses of the legislature this year, but minor amendments caused it to be lost in the closing seconds of the session. The Southeast Regional Office will work hard to see that the bill becomes law in 1989.

Health Care

Three organizations in the southeast region have recently achieved their goal of providing affordable health care for animals. Humane Services of Middle Georgia, in Macon, has opened the region's first full-service, low-cost veterinary clinic, after facing stiff opposition from local veterinarians. Orange County, Fla., will soon have the region's first spay/neuter clinic operated by a government animal-control agency, and a low-cost veterinary clinic was scheduled to open in Melbourne, Fla., in October 1988.

The Southeast Regional Office assisted in the creation of all these programs and hopes they will serve as models to other humane groups and governments throughout the region. ■



THE END OF THE ROAD: this young African elephant, part of a traveling menagerie known as "The Wonder Zoo," was ill when the zoo visited Gainesville, Fla. It later was humanely destroyed, despite veterinary treatment. "The Wonder Zoo," carefully tracked by the Southeast Regional Office, continued its wanderings up the East Coast to Virginia, where state humane investigators impounded nearly forty animals that had been abandoned in two tractor-trailer trucks in 106-degree temperatures (see the Summer 1988 HSUS News).

GREAT LAKES

Shelter Closes

The Humane Society of Harrison County, W. Va., no longer operates an animal shelter. The Great Lakes Regional Office had received numerous expressions of concern over the living conditions for the animals at the Harrison County shelter, and, although The HSUS had assisted Harrison County in the past to improve conditions at the shelter, it became apparent in June 1988 that the situation was again out of control. Phyllis Wright, HSUS vice president for companion animals, and Robin Weirauch, Great Lakes program coordinator, found overcrowded, unsanitary conditions and many animals in poor health as a result of unacceptable conditions at the shelter. After discussions with the Harrison County Humane Society board of directors, it was agreed that, in the best interests of the animals, the shelter would close within thirty

days. Since the closing, the board has come to an agreement with county commissioners to handle stray or unwanted animals through a county-owned shelter.

Complaints Investigated

Robin Weirauch investigated several complaints about the lack of appropriate care for animals at an Indiana pet shop, grooming, and boarding kennel. Reported incidents included sick animals, animals being harmed while being groomed, and a live puppy found discarded in a garbage bag in freezing temperatures.

Ms. Weirauch interviewed neighbors, veterinarians, and other professionals as well as people who have had unpleasant dealings with the business and conveyed the information in a report to the office of the Indiana attorney general. The Office of Consumer Protection in the attorney general's office has promised a close look into the situation. ■



Re-authorization of the Marine Mammal Protection Act could save thousands of dolphins that might otherwise perish during tuna fishing.

MMPA Re-authorization

Lobbying efforts by The HSUS continue on the re-authorization of the Marine Mammal Protection Act (MMPA). It is uncertain whether action will be taken by Congress this year.

One of the motivating factors behind passage of this law, the incidental kill of dolphins during tuna fishing, has reemerged as a major problem today (see the article on p. 10). When the MMPA was passed in 1972, the United States had the world's largest tuna fleet and was responsible for 87 percent of all dolphin deaths. Dolphin kills by the U.S. fleet were greatly reduced between 1972 and 1980, and, in 1981, the MMPA was amended to allow a mortality rate no higher than 20,500 dolphins per year. However, the foreign fleet is now twice the size of the U.S. fleet and kills dolphins at a rate four times higher than the U.S. fleet. In 1986 and 1987, the recorded dolphin kill was more than 100,000. Many dolphins will be killed this year.

Although the previous re-authorization mandated that alternative fishing technology be explored, the U.S. fleet has become more dependent on dolphin

sets. In 1981, 40 percent of all tuna fishing included setting nets over dolphin schools. By 1986, the figure had dramatically climbed to 94 percent. "Sundown" sets have also increased. Banned from 1981 to 1985, the use of sundown sets now greatly increases the mortality rate of dolphins. Only 12 percent of all sets were at sundown in 1986, but they accounted for 50 percent of the dolphin mortality.

The re-authorization of the MMPA is a priority for The HSUS. We believe the following four points must be included:

- The dolphin-kill quota must be phased down to the original intent of zero incidental kills for both the U.S. and foreign fleets.
- Sundown sets must be banned.
- Tough performance standards must be set for all vessels and skippers and adequate records kept for each.
- Government observer coverage must be increased to include all vessels.

Please write to your representative and senators to stress the importance of including these four points in the MMPA.

Federal Update

The Veal Calf Protection Act (H.R. 2859), introduced by Representative Charles Bennett, prohibits the confinement of veal calves in small crates and the practice of feeding the calves a diet deficient in solid food. H.R. 2859 made considerable progress during the One-hundredth Congress, gaining fifty-five

cosponsors. It is unlikely this bill will pass before the end of this year, but we are confident it will be reintroduced in the next Congress.

The Pet Protection Act (H.R. 778 and S. 1457) will not see action in Congress this year. Despite intensive lobbying efforts by The HSUS, the biomedical research community has succeeded in thwarting our efforts (see the Spring 1988 *HSUS News*). Rep. Robert Mrazek, author of the house version of the Pet Protection Act, deserves special thanks for his efforts on behalf of this legislation.

The African Elephant Conservation Act (H.R. 2999) passed the House of Representatives on August 8, 1988. H.R. 2999 was introduced by Rep. Anthony Beilenson to protect the African elephant by prohibiting the importation of elephant products to the United States. Senate action is uncertain at this time.

Despite The HSUS's continued lobbying efforts in coalition with other animal-welfare, farm, public-interest and environmental groups, and religious leaders, it appears that Congress will adjourn this session before acting on a two-year moratorium bill on animal patenting introduced by Rep. Charlie Rose in August 1987 (see the Summer 1988 *HSUS News*). The moratorium bill was defeated by a narrow margin while still in committee. Please write to your representative and senators so that they will be familiar with the bill when it is reintroduced next year. ■



Rep. Robert Mrazek is author of the house version of the Pet Protection Act.

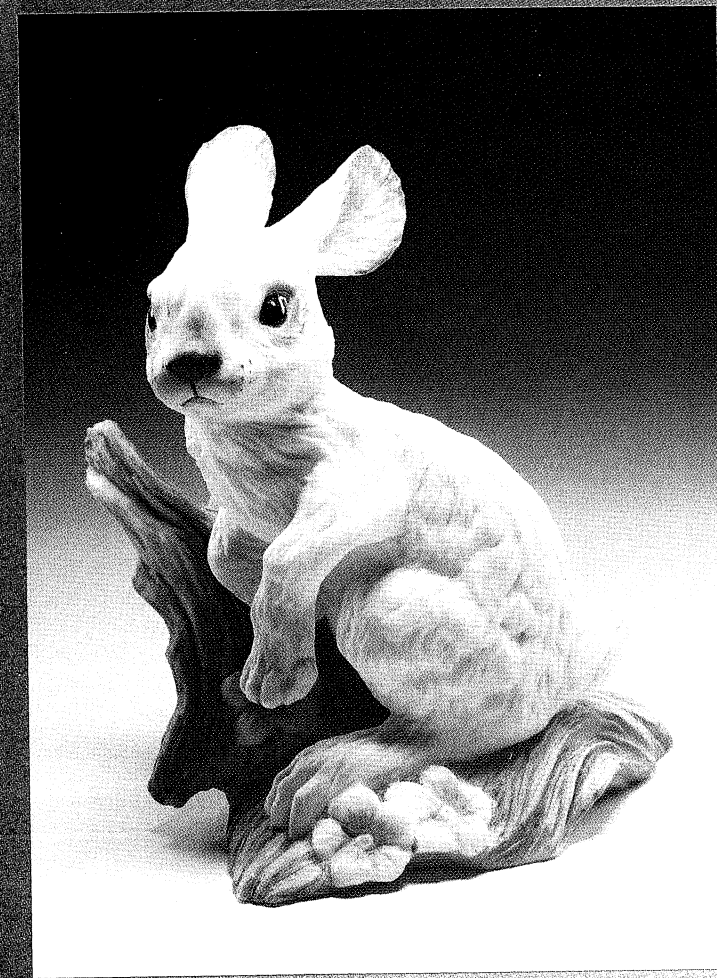
—REP. MRAZEK'S OFFICE

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LAW NOTES

First-Round Win in ESA Suit

The HSUS and Defenders of Wildlife won a decision in the U.S. Court of Appeals for the Eighth Circuit in July that may lead to substantially increased protection for endangered and threatened species throughout the world. The court ruled that The HSUS and Defenders have standing to challenge a regulation promulgated by the Reagan administration in June of 1986.

The merits of the suit must now be decided by the district court, which will determine whether the regulation violates the Endangered Species Act of 1973, as The HSUS and Defenders have asserted. That regulation excluded foreign species on the U.S. threatened/endangered list from protections provided by Section 7 of the Endangered Species Act (ESA). (The U.S. government's list includes foreign as well as domestic wildlife species.)

Section 7 requires that U.S. federal agencies consult with the Secretary of the Interior to ensure that their actions do not jeopardize the existence of endangered or threatened species. The June 1986 regulation declared that consultation under Section 7 is not necessary for overseas projects of U.S. agencies. Because the United States funds or otherwise undertakes many overseas development projects, especially in Third World countries, that are destructive to wildlife and its habitat, the regulation removed significant international protection for wildlife.

Senator John Chafee, ranking Republican on the Senate Subcommittee on Environmental Protection, which oversees the ESA, made a statement on July 25, 1988, on the floor of the Senate supporting our contention that the ESA requires overseas consultation.

New Jersey Trap Appeal Victory

Last year, the legal challenge by New Jersey trappers to the state law banning the steel-jaw leghold trap was defeated, and the ban upheld by the Salem County Superior Court (see the Winter 1987 *HSUS News*). The plaintiffs, the New Jersey Fur Farmers and several individual trappers, then appealed the case to the superior court's appellate division. The appellants' two main argu-

ments repeated those of the lower court case: 1) the padded-jaw leghold trap was not covered by the law; and 2) confiscation of traps, as provided for in the law, is an unconstitutional taking of property.

The appellate judges rejected both these arguments and issued a decision upholding the lower court on June 15, 1988. In particular, the appellate division approved the trial court's reasoning that "Although the statutory ban results in such economic burdens as enhanced crop damage, increased costs of dike maintenance, and reduction of trapping revenues, those burdens do not amount to unconstitutional taking." The court allowed a six-month period for trappers to dispose of their traps before confiscation is instituted, but the trappers failed, once again, to have the ban declared unconstitutional.

Graham Case Resolved?

On August 1, 1988, the U.S. District Court for the Central District of California granted the Victor Valley School Board's motion to dismiss the dissection case involving student Jenifer Graham (see the Summer 1988 *HSUS News*) on grounds of mootness, because the judge found that there was no longer any controversy between the parties to be adjudicated. Settlement discussions had been ongoing since May, after almost a year of hard-fought litigation. In those discussions, the school board agreed to: (1) allow Ms. Graham to learn frog anatomy using models, overlays, and other alternative study materials and methods; (2) retest her knowledge of biology after she has completed the alternative studies; (3) reform her grade in Biology I, using the grade she achieved in that examination; and (4) remove the prejudicial notation from her transcript to the effect that she refused to participate in the dissection component of the biology course.

By early July, the only substantive issue remaining to be resolved concerned the testing method the defendants wanted to use. The defendants proposed using photographs of a dissected or prosected frog as an exam subject. Ms. Graham rejected that on the grounds that photographs of dissected frogs

would involve her in an indirect dissection. Since the beginning of the case, she had made clear that, since she objected to the whole system of frogs being raised or captured for purposes of becoming dissection specimens, she could not agree to using or participating in study materials such as videotapes of dissections or freeze-dried specimens.

What the court had before it, then, on August 1, was a case that was already about 90 percent settled in Jenifer Graham's favor. The court on its own initiative then proposed that the defendants provide a frog, that a teacher would dissect, for testing purposes. The frog was to have died a natural death, and its death, therefore, would have been a morally neutral event. The defendants agreed to attempt to provide such a frog for testing purposes and, with that understanding, the court indicated its willingness to grant the motion to dismiss on grounds of mootness.

A great deal of attention has been focused on the obvious formidable, if not insurmountable, practical difficulties in finding a frog that has died a "natural death," defining what "natural death" is, and other aspects of the unusual terms which may resolve the case.

What is more significant is that the court accurately perceived and was responsive to the essential moral point behind Ms. Graham's stand—that she did not want to kill or injure an animal, directly or indirectly. The court's solution is similar to the use, by progressive biology teachers, of road-killed animals, as a means of meeting both their students' and their own moral objections to having any animal reared or captured for the purpose of becoming a specimen on a dissection tray.

The other significant aspect of the settlement is that the school authorities agreed to Ms. Graham's use of alternative study materials, such as detailed three-dimensional models, to learn frog anatomy and physiology. ■

The Law Notes are compiled by HSUS General Counsel Murdaugh Stuart Madden and Associate Counsel Roger Kindler.

BACK BY POPULAR DEMAND!



Last year, artist Katherine Neprud created a greeting card for HSUS members so popular that it was completely sold out before Thanksgiving. This year, we asked Ms. Neprud to work her magic again. She has produced a charming scene of two best friends, their noses pressed against a snowy window, waiting, perhaps, for Saint Nick in his sleigh or for a beloved family member returning home with holiday goodies.

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I played
with Rusty
yesterday.”

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That's why humane education is so important. You can

help make it happen in our schools by participating in the HSUS "Adopt-A-Teacher" program. It's quick and easy!

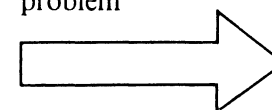
For more information, write to **The National Association for the Advancement of Humane Education**, a division of The HSUS, P.O. Box 362G, East Haddam, CT 06423.



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